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Trial of the Rev. Albert Barnes

TRIAL

OF THE

REV. ALBERT BARNES,

BEFORE THE SYNOD OF PHILADELPHIA,

In Session at York, October 1835.

ON A CHARGE OF

HERESY,

PREFERRED AGAINST HIM BY THE REV. GEO. JUNKIN:

WITH ALL THE PLEADINGS AND DEBATE.

AS REPORTED FOR THE NEW YORK OBSERVER,

BY ARTHUR J. STANSBURY.

NEW YORK:
VAN NOSTRAND & DWIGHT, 146 NASSAU-ST'

1836.

PROPERTY OF
PRINCETON

NOTICE.

The trial of Mr. Barnes was an important event in the Presbyterian Church. The Prosecution was aimed not at him, personally, but rather at the theological views embraced and promulgated by him; and as on the trial of Dr. Beecher, which had recently preceded it, principles and not men, were at issue. As the sentiments of Mr. Barnes and Dr. Beecher, are approved and held by a large number of Ministers and Members of the Presbyterian Church, the case naturally excited great interest: and its decision is likely to be followed by extensive and important consequences. It was therefore very desirable, not only that all the steps in the proceedings should be carefully noted down, but that the arguments in support of them, and the sentiments of the leading men engaged, whether in effecting, or in opposing them, should be preserved; and that a faithful and important *exposé* of the whole scene should be presented to the Church. It has been the aim of the Reporter to accomplish this important, but very difficult task. How he has succeeded, must be left for the actors in the scene, and for those who witnessed it, to say. He is, at least, conscious of an upright intent, and of the most scrupulous impartiality toward all parties concerned. The favorable reception of the Report as it appeared

in the Observer, (to the enterprise of whose Proprietors the religious public is not now for the first time indebted), has induced the Publishers to throw it into its present more convenient and permanent form. The doctrinal views presented in this trial and in that of Dr. Beecher, render the reports of both, items of great value, as supplying materials to the future historian of the American Church.

VAN NOSTRAND & DWIGHT.

New York, May 1, 1836.

TRIAL

OF

MR. BARNES.

The Synod of Philadelphia met at York, Pa. on Wednesday, Oct. 28th, 1835. At the opening of Synod, 246 members were present, viz. 133 ministers and 113 elders. On the vote for Moderator, 230 votes were given, viz. for Wm. Engles, 155, for Reuben Post, 75. Wednesday and part of Thursday were occupied chiefly in discussing the right to their seats of certain elders, belonging to churches newly formed and attached to the (Assembly's) 2d Presbytery of Philadelphia. This business having been disposed of, the appeal taken by the Rev. George Junkin, D. D. from a decision of the Assembly's Second Presbytery of Philadelphia, acquitting the Rev. Albert Barnes, of Philadelphia, from a charge of heresy preferred against him by Dr. J. came up for discussion.

Dr. CUYLER from the Judicial Committee, made a report on the Appeal of Dr. Junkin, declaring the appeal to be in order, and recommending that the synod do take it up.

Dr. GREEN moved that it be adopted.

Mr. WINCHESTER objected to this course. If this recommendation was adopted, the synod would stand pledged to go into the trial and issue it: but Mr. W. would prefer that the whole subject be *referred to the next General Assembly.* For this preference he would state his reasons in brief; that the synod might not suppose he had proposed a step so important without having good reasons for it. The book of discipline declared that " cases of a peculiarly dif-

ficult or delicate nature might be referred to a higher court." This was certainly a case of that description: it was both difficult and delicate; difficult, because Mr. Barnes's book, on which the appeal was founded, abounded in contradictions; and that, to such a degree, that it was impossible from the perusal of it, to say what was the real belief of the author.

Mr. Barnes here interposed. Moderator, am I on trial? Is it in order now to discuss the merits of that book?

The Moderator called Mr. Winchester to order.

Mr. Winchester. I certainly had not the slightest intention to arraign any one, or to enter prematurely on the merits of the appeal. I was merely stating my reasons for wishing the subject referred to the Assembly. I meant no offence, and shall not repeat the remark. But the subject is not only a difficult one: it is a delicate one. There is a question of popular prejudice in the way. No one that is acquainted with the past can hesitate to believe that popular prejudice will set strongly against *any* decision which this synod may make in the case. We shall be looked upon as having prejudiced it: because the same author has been before us on a former occasion. I think we must all feel the pressure of this difficulty. Not that we are unable to act conscientiously. I mean to insinuate no such idea; for I know and feel the contrary to be true: but I fear that act how we may we cannot act satisfactorily. I move you, sir, that this appeal be referred to the next meeting of the General Assembly.

Dr. Green. I am opposed to the motion for reference, and I will state a few of the reasons which induce me to oppose it. I am opposed, in all instances, to having an inferior court refer its own duties to a higher, unless in cases far more special than I apprehend this to be. The Assembly, as we all know, will have much to do: and when cases have been thus referred to that body they have in every instance sent the matter down again to be issued by the judicatory below: and if I should be a member of the next Assembly I think I should make a motion of that kind, should the case be sent there. That the case is both difficult and delicate, is true: but it is equally true that it will be just as difficult and just as delicate when it comes before the Assembly. And as to the difficulty from popular prejudice, there is just as much of that felt toward the Assembly as toward this synod. No sir: let us do our duty. The case is brought before us, and let us meet it in a Christian manner. I have little doubt that there will be an appeal: but to shift off all our business on the higher judicatory is anti-presbyterial. I am opposed to the motion. Sure I am that I have as little wish or disposition to enter

into this trial as any one. I have, I assure you, no inclination to handle the subject: and I should, on the contrary, shrink from touching it if I could do so with propriety. I am, I say, opposed to this reference: still, I have made it a principle throughout my long life, always to go with my brethren whenever there was no conscientious scruples in the way. I hope we shall take up this matter at an early day. The House, I fear, will soon begin to be thinned.

Mr. McKinney, I consider this case as difficult, to be sure, but not more so than other cases which come before us. Our churches expect us to take it up, and to examine it. It is one of the duties of this synod to do it: and are we going to shrink from our duty? Why? What excuse can we render for not performing it? Is this a small body? No, Moderator, it is a large one. Is the synod unusually thin in numbers? No sir: there is an unusuall fully and general attendance. We can as well determine it as another body can. Let us shew to the churches what are the real sentiments of this body on the great leading doctrines of Christianity. The Presbyterian church looks for this at our hands. Our own churches want to know what we think on these leading, on these disputed points. It has been confidently said, before we came here, that synod would shrink from the question. I hope we shall not shrink. I hope we shall take up the appeal: and take it up soon, while the House remains full. We have here a large body of our elders, who have, at great personal sacrifice, left their employments, and who wish to be instructed, and to carry home what they hear, and be able to tell to the sessions what they heard with their own ears about these matters. They cannot stay here long. I think therefore we should take it up without delay.

Dr. Cathcart said he should rejoice to have the case referred, under certain circumstances. It had been said there were certain prejudices against the synod as being prepossessed, and as having prejudiced the case. Now if the members of synod would all pledge themselves to each other that when the case came before the General Assembly, they would abstain from voting upon it, and let the Assembly decide it impartially, then he should rejoice to see the whole subject at once referred.

[The Moderator reminded Dr. Cathcart that this would not be in order.

Well, said the Dr. we all have our prejudices: but as it will have to go to the Assembly at last, my wish is that it should go now; but with this restriction. But if we are to refer it to the Assembly and then vote upon it there, I do not think it will be a fair proceeding. Surely we can pledge ourselves, without any violation of order, not to vote: we are not forced

to vote. This will be all fair and honorable and just. The cause ought to go there: and if we will only let the Assembly decide it for us and in an unbiased manner, I shall rejoice exceedingly. I hope, however, it will not be sent up, unless with this restriction.

Mr. Hill. If what has now been called a prejudice is sufficient to prevent the Synod from passing a just judgment in the case, I am apt to believe there will be the same objection to any decision of it by the Assembly. I believe, Moderator, that we are quite as unprejudiced as the Assembly are like to be. But if opposition to such doctrine as Mr. Barnes is charged with is a prejudice, I hope such prejudice will be found in all our courts, and continue to be found and to prevail there, till all opposition to the truth is successfully put down.

Mr. Musgrave. I have but a few words to say. I am strongly in favor of referring this whole case to the General Assembly, but with the understanding that the other party shall not enter a complaint against this act, so as to leave it in the power of the Assembly to take up the matter either on the reference or on the complaint, according as that body may be found to have one complexion or the other. If you refer the case to the Assembly, and the other party shall enter a complaint, and that party shall chance to have a majority there, they may serve us as they did the Synod that met in Baltimore, and we may be thrown out. If those among us who are understood as advocating Mr. Barnes' book will consent to the reference, then I am strongly in favor of that course: but if they are determined to complain, then a question of policy arises, viz: whether we shall, by referring the case, do ourselves and the cause of truth, as we understand it, sheer justice. There can be no use of a long discussion here when we all know that our decision is not to be final in the cause. It will go up: and if there is a complaint, the whole Synod will be thrown out and not allowed to vote. In which case nothing will be effectually settled. This is not a private question. It is not the case merely of a man, or of a congregation—no sir, but the interests of truth, and the prosperity, the purity, the peace, and I had almost said the *unity* of the Presbyterian church are deeply involved in its decision. I cannot consent to the insinuation that we are so prejudiced that we cannot righteously decide it. I disclaim any such feeling. I am prejudiced, strongly prejudiced, but I trust it is in favor of God and of his truth, and of the order of his house. In this prejudice I glory. But as to any feeling of personal bitterness toward the author of the book on the Romans, I utterly disclaim and deny it. All others, perhaps can say the same. I trust, at least, that we are not to be influenced by an insinua-

tion to the contrary. I came here with the determination to call black, black; and to call white, white: and by the grace of God I will do it. I have no prejudice for or against Mr. Barnes. But if his friends here will acquiesce in permitting the reference, it will save much time and much feeling, and will, I am persuaded, aid the cause of Christ in this borough. I am persuaded the Assembly can go into this thing dispassionately; and I hope in God the decision there will be final. We are all, I am sure, sick at heart of this state of contention and endless disputation: Yes, sir, I, for one, am heartily disgusted with it. I wish for peace. And I now ask the brethren on the other side, whether they will acquiesce in the reference, if it is made? if they will allow the case to go up to the Assembly with the distinct and acknowledged understanding that they will make no difficulty so as to exclude the Synod from a vote on the floor of that body? If they will give us this pledge I am ready to meet them: but, if they will not do this, it is a matter of doubt with me whether we ought not thoroughly to discuss and decide the case here, and now. The weight of this body should be made to be felt, in some way. If we are to be excluded in the Assembly, let us act before we go there; so that our action, at some time, may tell on the cause of Christ and the interests of truth. My course will be shaped by that of the brethren on the other side. I wait for their decision.

Mr. WINCHESTER. It was not said by me that the Synod were prejudiced, but that they were charged with being so. I expressly guarded against the supposition that I thought so: what I fear is the impression abroad that we are too prejudiced to decide impartially.

Mr. STEELE. I am opposed to the reference, and in favor of adopting the report of the Judicial Committee. I was pained to hear the remark of the brother, (Mr. Musgrave) that a discussion of it by Synod would be injurious to the cause of Christ among the inhabitants of this borough. I was amazed to hear such language from that brother.

Mr. MUSGRAVE explained. The injury he deprecated was not from the discussion itself, but from the great excitement which it would be likely to create out of doors.

The MODERATOR said he hoped the brethren would refrain from all remarks of that character. This constant reference to some great apprehended excitement, was, itself, the most effectual cause of excitement. It tended directly to produce what it deprecated.

Mr. STEELE resumed. I had the high privilege to witness the proceedings in this case in the court be-

low: and all who like me were present on that occasion can testify, as I most expressly do, that nothing transpired there which had any tendency whatever to injure the cause of Jesus Christ, if it had happened before any audience whatever.

So far was this from being the case, that I heard some of the auditors on that occasion say, they could with pleasure have sat for weeks listening to so delightful and interesting a discussion of the great doctrines of the gospel. And why may not the same state of things prevail here? I hope, for one, that instead of injuring, the discussion will greatly promote the cause of piety and truth. There is another reason why the Synod ought not to refer this case, but to discuss and decide it. We have been told that to send up to a higher court that which rightfully pertains to this judicatory will be anti-Presbyterial. And why should we do it? I know that many of our churches expect the Synod to do its duty on the premises. I speak advisedly when I say this. Our churches look for it, and they will not be satisfied if we take any other course. Moderator, we have no right thus to shrink from our duty: unless, indeed, we can by common agreement go into General Assembly untrammelled. But as to agreeing not to vote there, as has been suggested, it is out of the question. On the whole I am of opinion that the interests of religion, that the peace and the purity of Christ's church call for an immediate decision of this case. I hope we shall go into it without delay, and I can pledge myself for the parties more immediately interested, that nothing injurious to the cause of piety will take place on their part.

Dr. M'Dowell. There was a remark which dropped from brother Musgrave which I did not fully comprehend. He talked several times about "brethren on the *other side*:" what does he mean by the "*other side?*"

Mr. Musgrave. Those who moved for, and who advocate the adoption of the report of the Judicial Committee, and who wish the trial immediately to proceed, I consider as on one side, and those who wish the case referred at once to the General Assembly, I understand as on "the other side." Brethren who are usually said, in common parlance, to be on "the old side" in respect to certain religious tenets are in favor of one of these measures, and those who in the like sense are styled "new side" men, are for the other. If we can get a pledge from these latter, I am willing the case should be referred: otherwise I am not willing. Does the brother understand me now? As for myself, and some others in this assembly, I consider ourselves as being about in the middle, between both parties. Or, to be more specific: Let

Mr. Barnes come forward here and declare that if the case is referred he will not enter a complaint against that course before the Assembly; that, with me, and I presume with all, will be sufficient.

Dr. M'Dowell. That is what I was afraid of, viz. that Mr. Musgrave considered Mr. Barnes as "on the other side" from himself: that a judge considered the party accused as on "the other side." It was just what I feared.

Mr. Houston. Supposing we do refer the case to the Assembly, may not the Assembly refuse to take it up?

Moderator. Yes, certainly.

Dr. McDowell. I am in favor of the reference, and against the discussing of the matter now. As to the Synod being excluded from General Assembly should there be a complaint, the Synod will be excluded simply on the subject of the complaint, viz. whether they had a right to refer the cause at once without trying it: but we shall not be excluded from voting on the merits of the cause itself.

Mr. R. Breckinridge interposed. Did not the Assembly, in 1833, act in a way directly the reverse of this?

Dr. McDowell. They did not. The exclusion of the Synod was then only as to the point of order, but not as to the merits of the case. I suppose this case will go up to the Assembly at all events: for I understand it to be the avowed reason of bringing it up from the Presbytery, that the appellant wishes to have a decision by the whole church. But if the Assembly are to vote on it, and this whole Synod to be excluded, this will not be obtained. Such a decision, when ten or eleven entire Presbyteries are silent, will not, by any means, be a decision by the whole church. The very object of the appeal will be defeated. As this was the grand object in view, I am for the reference as the most obvious and direct way to attain it. A discussion here can end in nothing but a waste of time. The whole matter will go to the Assembly at last: I am for its going there at once. I have no idea of any Presbytery's pledging itself not to vote: I want all the Presbyteries in the body to vote; that we may have the voice of the whole church.

Mr. R. Breckinridge. My own idea is that we ought to decide what we will do before we adjourn this day, and to-morrow proceed to do it. I will not enter at large upon the subject, but will merely state, as briefly as I can, a few heads of argument. In the first place, for us to decide this cause, will be in conformity with the regular action of our system. That system requires that when a party appeals from a decision of a court below, the cause shall be tried by the court next above; and this order is not to be depart-

ed from without a special and sufficient reason. And so sensible has the Assembly been of the propriety of such a course, that it has more than once refused to decide questions which have been referred to it over the head of the Synod. This has been done with the concurrence of many now here present. Again: There is nothing in this case to take it out of the ordinary course of ecclesiastical business. It is a mere case of personal difference in sentiment, between one gentleman and another. It is just such a question as may and does occur every day: there is nothing about it to excite or justify more excitement than is caused by any other matter of every day's occurrence between two parties equally respectable. It is a personal case; a case of mere personal interest; save so far as the truth is concerned: and that is concerned, of course, in every charge of heresy. There is no complexity in the case. It is plain and simple, and may readily be settled. Neither is it a case of any peculiar delicacy; it is no more a delicate thing, so far as I can see, to acquit or to condemn Mr. Barnes, than to condemn or acquit any other man, the most obscure in the church. It is related of Bonaparte, that when a cause was to be tried in which an individual was concerned in whom he felt the strongest personal interest, he said to the judges, "Go on and try the cause just as if it was the cause of a milliner in the Rue Antoine." So in this case: we are to treat it precisely as if it lay between two persons we had never heard of in our lives before. There is nothing delicate or unusual in the matter at all. As to the Synod's being excluded from voting in the Assembly, it amounts to nothing. What? because we may lose 15 or 20 or 30 votes, are we not to do our duty? What sort of an argument is that? It is said the Synod will lose votes: well; suppose they do: if it is the fair and regular action of our system, let us stand to our system. When I adopted it as my system, I never meant to stand to it only when it happened to work on my side. So long as I am a Presbyterian, I will be a Presbyterian. Could it even be demonstrated to me that unless we refer the case, the Assembly will certainly acquit the accused, it would not, in my mind, be the one ten thousandth part of a reason why we should not proceed and try the cause. If Mr. Barnes can obtain such an advantage by the regular working of the system, he is entitled to it: and let him have it. Let us act the system fairly out, before God and the universe. Such an argument has nothing in the round world to do with the case. It is nothing to us what Mr. Barnes will gain, or what he will lose: the only question is,—is he innocent or is he guilty? You cannot escape out of this case. Honesty ever puts a man in the best condition.

Some brethren are willing to refer, if Mr. Barnes will here declare that he will take no advantage of the reference: but Mr. Barnes has no right to speak to that question. And if he did, the pledge would be nothing: for though he should not complain, his friend may, or his enemy may. The Book says: "Or any other person." The language is perfectly unqualified. Any member of the Presbyterian church may complain; nay, any man in the world may complain to the Assembly of the decision of a church court below, and the provision is wise. It is one of the beautiful features of our admirable form of government. Any body—yea—*any body* who believes that the even course of justice has from any cause been drawn aside, has the right of calling upon the Superior court to interfere and review the act and redress the injustice. I knew a case precisely of this kind. An individual who was not even a member of our church, or of any church, was present at the doings of one of our Presbyteries, and being convinced that an individual there tried had not had justice done him, although himself unconnected with the case, complained to the court above; and the decision was taken up and examined, and the judgment reversed. Gentlemen talk about pledges: who can give a pledge for every other member of this Synod? who has a right to become sponsor for the body? Any one member may complain, at pleasure. The complaint goes up to the Assembly, and then—where are you? I will tell you where you will be. I affirm, in opposition to the statement of the brother opposite, (Dr. McDowell,) that three different assemblies have settled the principle that when a case has been issued below, and a complaint is preferred to the Assembly, the whole case is before them, and they have a right to take it up as a whole, and settle it. In a case where the Assembly decided to sustain a complaint against an act of Synod, I did myself move in the Assembly that the members of Synod be admitted to vote; and it was refused. The very men who had before contended for a construction of the constitution broad enough to admit a coach-and-six, instantly turned about and closed the opening to a crevice so small that it could not be seen. And this is the case you are asked to put yourselves into. It is said that if a pledge is given, it will be relied on: but the very asking of a pledge shows that a trick of some kind is to be looked for, and avoided. But it can't be avoided. I would not willingly "speak evil of the Ruler of my people;" but this I will say, that if you have at the Assembly a house constituted as it was in 1833, they will *exclude any body*—aye, sir—and *decide any thing*. They may complicate the thing in every way. They may decide a part of it, and send down a part of

it to you. And thus, by referring the case, you may in effect put off a decision of it for years, to the injury not only of the cause of orthodoxy, but also of the individual concerned. If the Synod settle it, we shall be done with it. We cannot act again upon it in the Assembly. Moderator, if we shall now try Mr. Barnes and *acquit* him; if we shall say that his book contains no heresy; if the Synod of Philadelphia—stereotyped as it is, throughout the Presbyterian church and throughout the country, as ultra—extra-super-orthodox,—insomuch that the *juste milieu* brethren, those gentlemen who stand in the middle, shrink from our embrace,—if such a Synod shall acquit Mr. Barnes, where can he go and not be acquitted? what other tribunal is likely to condemn him? If this Synod acquits him, will not his peace be made? his cause gained? Can Mr. Barnes himself conceive of any vindication more complete? more triumphant? But if we shall decide against him, and he takes up the cause by appeal, we are done with it. We can then say to the churches, we have done our duty, and now the case has gone to the legitimate and final tribunal. Be assured of it, sir, the most direct way to get peace is to meet this question and decide it. We may deceive ourselves and deceive the public by arguments drawn from an imagined decision by the whole church. Moderator, I never will stoop to flattery, or to pamper the vanity of any man or body of men: but this I will say: that I never yet was in that Assembly in the United States that I would not rather have pronounce me a heretic than this Synod. Sir, it is hopeless to appeal from your decision. It is vain and idle. A declaration by this Synod that a man is a heretic will brand his name as a HERETIC to the latest posterity. It is vain to struggle against it. The churches will receive your award. The nation will receive it. The world will receive it. The decision of the Assembly can never counteract it. But the Assembly will never decide against your voice. Indeed it is a difficult matter to get that body to decide any thing. I presume of course that the decision by this Synod will be a right decision: and that it will be final and irrevocable. Yes, sir: there will be no getting away from it. If you decide that Mr. Barnes is guilty, if you declare him a heretic—a heretic he will be, to the latest posterity. And if, on the other hand, you shall acquit him, then, in like manner, his doctrines will be adjudged as orthodox to the latest posterity.

Mr. McCALLA. My speech is this. Let us meet the question: meet it honorably: and manfully decide it.

Mr. WINCHESTER. My attention has been called to one fact which will alter my whole course on the subject of reference. The Synod of Philadelphia refused to make a division of its presbyteries into two synods:

and a complaint was preferred to the Assembly against that decision. On the vote to sustain this complaint the synod was excluded: and if so, then I am unwilling to jeopardize this synod, and place it again in the like circumstances by referring this trial to the Assembly. I did not wish it referred, because I was myself unprepared to pass a judgment in the case. I am prepared, and have long been prepared, to take it up and decide it. I came here to get light; and I could now give a decision conscientiously: but I am not prepared to give my final and official judgment until I first hear the discussion. Like my brother near me (Mr. R. Breckinridge) I am in favor of the right action of our system—wholly in favor of it. The chief reason why I was desirous of a reference, was the difficulty I apprehended in arriving at a right decision in the matter; a difficulty, however, existing not in my own mind, but in Mr. Barnes's book, because it is so full of direct contradictions that it is impossible——

[Here Mr. BARNES called Mr. W. to order.]

The MODERATOR again said that Mr. Winchester was not in order in this remark. Nor was he in order in declaring that he was now ready to decide the cause.

Mr. WINCHESTER would state again what it was that he had said; he had said that if compelled to decide the cause now, he was ready: but that he should prefer to hear the discussion before he gave his judgment: and if there was to be a discussion, then he was not prepared until he had heard it. But said Mr. W. I ask you yourself, Mr. Moderator, and I ask all those who hear me, whether, if compelled to give a decision, you are not now ready? Why sir, what is the necessary preparation to judge in this matter? If a man has examined the book on which Dr. Junkin's charges are founded, and has there found a confirmation of those charges, is he not prepared to decide the question whether the charges have or have not been proved? He may not yet be ready to *deliver* his opinion: but surely he has the materials on which to form one. And as to its being out of order to speak of Mr. Barnes's book, am I not at liberty to speak, here, of any book in the world?

MODERATOR. No: remarks on Mr. Barnes's book necessarily involve the merits of the question which judicially come before us; and your remarks may be such as tend to prejudice the minds of the court against the book.

Dr. ELY. Moderator, to what motion is Mr. Winchester now speaking?

Mr. WINCHESTER. There is a difficulty in the minds of some members arising out of something in the book which I must not speak of. The book, however, is

not on trial before us, but the author of the book: yet I will not say what I did propose to say of the evidence the book contains respecting him and his opinions. I may, I suppose, state a fact which every critic and every reviewer is allowed to state. I have not asserted in respect to his doctrines, either that they are heretical or that they are orthodox. In consequence of the contradictions in his book, it may be difficult to form a decided opinion as to that.

[Many voices here called to order: and there was a general sensation in the synod.]

Moderator. Mr. Winchester is out of order. The Moderator again decides that it is not in order to discuss, now, the evidence which is to come before us when we enter on the trial of Mr. Barnes.

Mr. Winchester. I bow to the decision of the Moderator: out of respect to his office. I was not influenced, in suggesting a reference to the Assembly, by any reference to the number of votes to be gained or lost in that body. I believe the difference in the vote there, and here, would be very small. For be it remembered that the presbyteries who would probably vote against us in that body, have been increasing and forming churches, and have thereby increased their representation. As they have been laying their eggs in other people's nests, I cannot tell, or conjecture, how many young ones may have been hatched out. My impression is that the votes in Assembly will be equally balanced, or nearly so. I never counted or calculated them. But if the votes of this synod are to be excluded, let it not be by a complaint, but by the regular operation of the system. But if that is to be done, I am certainly against the reference. In this I accord with my brother Breckinridge.

Mr. Breckinridge, interposing,—I have a distinct recollection of the case I mentioned. The synod referred to the Assembly. Some members complained of the reference: the Assembly took up the complaint, and excluded the synod.

Mr. Winchester. If so, that will decide me against the reference. I was wholly ignorant of that fact. I will not jeopardize the vote of a single member on this floor. For myself, I am anxious synod should take up the complaint. My suggestion of a reference was not dictated by my own personal wishes or feelings, but only by a desire that the parties should have a full opportunity of having justice done them. But the fact here stated has entirely altered my judgment, and I am now prepared to act out our system. It has been reported, I know, that I am about to turn Episcopalian; but I do not believe it. I hold that I am now as much a Bishop as even the Pope himself can make me. I believe that the Presbyterian system will be found to be most scriptural and also the most polit-

ic of all systems of Evangelical Government. And I am rejoiced that we have an opportunity, in so large and full a meeting to declare what are our opinions touching matters of doctrine. Although it has been truly stated that we have but little influence in certain parts of this union; yet let me tell gentlemen that when this present excitement shall be over, when all that is now cried up as a novelty shall be buried and forgotten, the judgment of this Synod of Philadelphia will stand, and will endure, as one of the brightest pages in the history of the church. I have therefore always rested in calm satisfaction as to the ultimate issue of the existing crisis of our affairs, notwithstanding all the prejudice that prevails, all the slanders that are uttered, and, worst of all, notwithstanding that our usefulness has for a time been crippled. Moderator I feel that the Presbyterian Church rests upon the rock of ages:—and if every man would boldly give his testimony against the errors prevailing in his day, he would stand, with her, upon the same rock of ages. And, sir, I believe, that the time is not far distant when all this enthusiasm which now so violently agitates some portions of our church will have subsided——

(Here a member enquired—Have these remarks any thing to do with the question before the House? There was a good deal of movement. Some called the member to order, and some Mr. Winchester.)

Mr. Winchester. Some of the members take advantage of a peculiarity of mine: they know that I am easily put out, when speaking. I did not believe it would be unwelcome that I should eulogize the system I have sworn to support.

Mr. McCalla hoped the call would be withdrawn. The brother might not be strictly in order, yet still the House loved the swoop of his wing, even in his wanderings.

A member stated that a count had been kept, and that the speaker had used the personal pronoun of the first person fifty-five times in 8 minutes. Must the House sit and listen to this?

Remonstrance was made with warmth against remarks of this kind.

Dr. Ely. When a member speaks half an hour without once touching the subject before the House, is he to be permitted to go on? even though his speech may have been committed ever so well?

The Moderator endeavored to repress the confusion. The best way, he believed, in such cases, was to allow the member to go on, though he might be speaking somewhat from the point. It would be found the shortest course in the end. I decide that the member is not out of order: if any one wishes an appeal let it be taken.

(No appeal was taken.)

Mr. Barnes. I wish only to say that I shall be obliged to the Moderator and the members of Synod, if they will bear in mind an observation which fell, I think, more than once from brother Winchester, viz. that he had examined the case and was ready to give judgment upon it. I wish this remembered, because it may be my duty, hereafter, to object to his retaining his seat as a judge, in a cause which, according to his own declaration, he had prejuged before he heard it.

Mr. Winchester. I have explained that and stated the contrary. If brother Barnes is not disposed to take my word, he has a perfect right to his own opinion.

Dr. Green. Much is said about Mr. Barnes which I apprehend is not all to the point. The parties in this cause are not Mr. Barnes and the appellant, but the Second Presbytery and the appellant. Mr. Barnes is not, directly, a party here. I have been surprised to hear brethren speaking and arguing on the assumption that Mr. Barnes is a party here to be tried. As to the adoption of the Report of the Judicial Committee recommending us to issue this appeal, if we reject the report and refer the case to the Assembly what shall we gain? We shall leave the cause undecided, and our churches in suspense for six months more. And if the Assembly should, after all, send the case back to us, then there will a whole year have been lost. I think that duty to ourselves and the church, as well as kindness to the parties concerned, demand of us that we proceed and try the case.

Mr. R. Breckinridge. I must enter my dissent to the position taken by the worthy father who has just taken his seat. The Second Presbytery is not a party here. Mr. Barnes and Mr. Duffield are the parties; (a laugh)—I beg pardon—Mr. Barnes and Dr. Junkin I meant to say. These are the original parties; and the book makes them the parties here.

Mr. Wynkoop. The appeal, as I understand it, is certainly to be decided between the appellant and the Presbytery. Now you are soon about to dissolve the Presbytery: and if you refer the case and then dissolve the Presbytery, the Assembly may say this appeal is from the decision of a court which is no longer in existence, and may refuse to issue it. Thus the whole case may be thrown out of the church. This is an important consideration.

If you refer the case, you will be constrained to keep the Presbytery in existence, that it may be a party. Surely the Assembly will not try the Presbytery after it is defunct. And should the Assembly refuse to act, it is obvious that the evil must be long continued. That there is an evil on which this Sy-

nod ought to act is out of the question. Either there is a great evil in Mr. Barnes being unjustly accused, or there is an evil in some of the principles of our constitution. If Mr. Barnes is guilty, then we shall be guilty of continuing him as a minister all the while the cause is hereafter delayed. The evil, either way, ought not to be continued. There are now about seven months to the meeting of Assembly: and though the Assembly may not refuse to receive our reference, still they may send back the case to us for further action, and then we shall stand just as we stand now, only with the additional disadvantage of being thought disposed to persecute. As officers charged with the order of God's house, we are bound not to cause this delay. For one, I can promise a zealous and faithful discharge of my duty, whatever persecution or opposition it may subject me to. And I ask my brethren whether they are willing to leave it to a mere peradventure whether the cause of truth shall not suffer during all this probable delay? Or are they willing, if Mr. Barnes is innocent, that his character should thus long suffer wrongfully?

Mr. M'Calla. There is nobody that I have heard now advocating the reference. The speaking is all one side.

Mr. Wynkoop. True: the speaking thus far, has been only on one side: but does not the brother perceive that the other side are holding back until we shall have spent all our ammunition, and then they will fire at us? I am for anticipating them, and firing at them. I hope we shall continue the fire, and shall take good aim. Mr. Moderator, if we are to send up this case it must be for one of two reasons, (cries of adjourn) either because we are doubtful of our ability to decide the case, or for the sake of gaining votes. If brethren take the first ground (cries of adjourn increase) and say they consider the case as doubtful; and if Synod cannot tell what is in a book which is laid before them— * * *

[Here a motion was made to adjourn, and the Chair seemed disposed to entertain the motion. Much confusion ensued, many remonstrating against thus taking a member off his feet while addressing the Chair.]

Moderator. The Chair decides that it is in order to move an adjournment while a member is speaking.

Mr. R. Breckinridge. It is an unparallelled decision. Such a thing was never heard of in any deliberative body I ever saw or read of. Even in the British Parliament the only way to get a member off his legs is to cough him down, and make such a noise with their feet that he cannot be heard.

Mr. Eustace. The decision is not *unparallelled;* it has had more than one parallel already.

Mr. R. Breckinridge. If the Moderator adheres to his decision, I shall most certainly take an appeal.

The Moderator said that such had been his opinion, but if the House decided otherwise, he should not be strenuous. The member might proceed.

Mr. Wynkoop. I was willing to have drawn the few words I had to say to a close, to make way for the motion of adjournment: but I will not allow the rudeness of any man to put me down. I was observing that to represent the case as one of a doubtful nature would prejudice the Assembly against it on the threshold—[much coughing in the house]—I can give way to a gentlemanly request, but I never will yield to ill manners. [Coughing and scraping, and cries of question.] It is not a charge which injures a man, but it is the justice of the charge which affects him.

[Here the Synod became extremely impatient, and Mr. Wynkoop, at the request of friends, waived his right to proceed.]

The question on the adoption of the report, was now put and carried, *nem. con.*

So the Synod resolved to take up and issue Dr. Junkin's appeal. The Moderator thereupon admonished the Synod as is prescribed in the constitution.

Synod then adjourned till to-morrow. Closed with prayer.

Friday morning, Oct. 30.

The order of the day being to receive the reports of the several Presbyteries on the state of religion within their bounds,

Dr. McDowell hoped that the reports, as they were successively delivered in, would be read at length. He wanted to hear them.

Mr. McCalla was opposed to this. Mr. Moderator, some of us are hearing men, and some of us are working men. I think we have that to do which is infinitely more important than to sit and listen to these reports on the state of religion. Our action on that subject, and the spirit which seems to animate this large assembly of the rulers and teachers of the church, is a far better indication of the true state of religion in our bounds, than any thing in those reports.

Mr. Dickey wished the whole to be read: he wished the Synod to hear these reports. They would, among other things, go far to show to what an extent the Sabbath was violated; and it was the desire of the New Castle Presbytery, that that subject should be especially attended to.

Mr. De Witt moved to postpone the orders of the day.

A question being raised whether that would be in order,

Dr. GREEN said nothing could be more so; or more common in deliberative bodies.

Mr. MORSS renewed the motion to postpone.

Dr. J. BRECKENRIDGE opposed the postponement, because the committee appointed to draft the narrative wanted these papers in their hands, that they might be able to prepare their report.

Mr. VOWEL warmly opposed the dispensing with the reading of these reports, and the postponement. What could be of more importance than the condition of religion? What ought to be considered in preference to this by a body of Christian ministers and representatives of Christian people? The Synod had resolved that on this morning these reports should be called for, and in what could its time be more profitably spent? He hoped they would be read. There were many very anxious to hear them.

The question on postponement being put, it was carried by a very large majority.

So the first order of the day was postponed, and the Synod resumed the

CASE OF REV. ALBERT BARNES.

MODERATOR. The first question to be asked, before proceeding to consider and issue the appeal of Dr. Junkin, is required to be this: Did the appellant proceed in an orderly manner, and lodge his complaint with the higher judicatory in the way required by our constitution? On this subject, the judicial committee of the Synod had made a report, stating that the appellant had proceeded in an orderly manner.

Dr. ELY. Are all the documents connected with this case now in the house?

The Moderator having replied to the interrogatory that the records of the court below were necessary,

Dr. ELY said he had been instructed by the Assembly's Second Presbytery to lay before Synod a minute by them adopted and entered upon their records, declining the jurisdiction of this Synod in the premises.

MODERATOR. Will the Synod hear this paper?

Mr. R. BRECKINRIDGE. Not unless it is from one of the parties. If Mr. Barnes pleads to the jurisdiction of the court, we are ready to hear him.

MODERATOR. Is the sentence of the Presbytery, appealed from here, present?

Dr. ELY now read the minute of Presbytery, as follows:

At a meeting of the [Assembly's] Second Presbytery of Philadelphia, at York, Pa. Oct. 29th, 1835, the following minute was adopted, viz:

"*Whereas* the General Assembly of our Church dissolved the Synod of Delaware, *at and after* the meeting of the Synod of Philadelphia, which occurred yesterday; *whereas* the

said Assembly passed no order for the transfer of the books, minutes, and unfinished proceedings of the Synod of Delaware and of the Presbyteries then belonging to the same, to any other Synod or judicatory; and *whereas* it is utterly inconsistent with reason and the excellent standards of our church, that any Presbytery should be amenable to more than one Synod at the same time, therefore *Resolved*, that the Presbytery will and hereby does decline to submit its books, records, and proceedings, prior to this date, to the review and control of the Synod of Philadelphia, until the General Assembly shall take some order on this subject."

A true copy from the minutes.

GEO. DUFFIELD, Clerk.

Mr. R. BRECKINRIDGE. I move that that paper be laid on the table, and that Mr. Barnes be now called upon to say whether he is ready for trial.

MODERATOR. Let this paper be inserted on the minutes of Synod, as an answer of the Assembly's 2d Presbytery to the demand of the Synod for the papers in the case.

Is the appellant now ready to proceed?

Dr. JUNKIN. I am ready, and I will now read the rule in our constitution upon which I rely for the testimony produced before the Presbytery in support of my complaint against Mr. Barnes. It is in the following words:

Chap. 7, sec. 3, sub. sec. 16. It shall always be deemed the duty of the judicatory, whose judgment is appealed from, to send authentic copies of all their records, and of the whole testimony relating to the matter of the appeal. And if any judicatory shall neglect its duty in this respect; especially, if thereby an appellant, who has conducted with regularity on his part, is deprived of the privilege of having his appeal seasonably issued; such judicatory shall be censured according to the circumstances of the case.

On this clause of our constitution I rest for the documents. When the appeal was taken from the sentence of the Presbytery, acquitting Mr. Barnes, I proposed to carry up the cause at once to the General Assembly, on account of the difficulty that might attend the question of jurisdiction. The Synod of Delaware had adjourned, as I understood, sine die; at least I could find no time fixed for its meeting (unless I chose to rely on a memorandum in Mr. Patterson's pocket-book); but I consented to let my appeal lie to this Synod: and I now depend on the faithfulness of the Presbytery for the production of the records. They made no objection, at the time of my appeal, to the jurisdiction of this Synod.

MODERATOR. Is Mr. Barnes ready for trial?

Mr. BARNES. I supposed that the Presbytery was a party in this cause. But if Synod say that I am one of the parties, and not the Presbytery, I am ready. I expected, however, to come in, only as a mem-

ber of my Presbytery, and not as a party to the cause. On this point the Synod will determine. The rules say that the original parties are first to be heard, and then the judicatory appealed from.

Dr. JUNKIN. I was incorrect in saying that the Synod of Delaware had no record of the date to which it stood adjourned.

Mr. BARNES. I came here fully prepared for the trial; that is, with all the preparation I was able to make. I have all the papers here; and so far as I am personally concerned, I am ready.

Dr. McDOWEL. I am persuaded some are under a wrong impression as to who are the parties before Synod. A respected father (Dr. Green) has told us that the parties in this trial are the appellant, Dr. Junkin, and the 2d Presbytery, from whose act he appeals. This was the old practice: but it is not so since the adoption of our new book. The book now provides that the original parties, that is, Dr. Junkin and Mr. Barnes, and then the judicatory is to be heard in explanation of its own decision. The Presbytery then are not a party at all.

MODERATOR. I have decided that the original parties before Synod are Dr. Junkin and Mr. Barnes.

Mr. EUSTACE. The parties before Synod can only be the appellant and the Presbytery; not the original parties.

MODERATER. The book prescribes that the original parties are to be heard, and the Presbytery is a party only to be heard afterwards in vindication of its decision.

Chap. 7. sec. 3. sub. sec. 8. In taking up an appeal, after ascertaining that the appellant on his part, has conducted it regularly, the *first* step shall be to read the sentence appealed from: *secondly*, to read the reasons which were assigned by the appellant for his appeal, and which are on record: *thirdly*, to read the whole record of the proceedings of the inferior judicatory in the case, including all the testimony, and the reasons of their decision: *fourthly*, to hear the original parties: *fifthly*, to hear any of the members of the inferior judicatory, in explanation of the grounds of their decision, or of their dissent from it.

Mr. R. BRECKINRIDGE. I move you that the Stated Clerk of the Assembly's 2d Presbytery be ordered immediately to lay on the table of this Synod so much of the records of that Presbytery as relate to the case of Dr. Junkin and Mr. Barnes.

Dr. GREEN. The appeal of Dr. Junkin was from the decision of the 2d Presbytery. I admit it to be right to hear the original parties; but the appeal is from the act of the Presbytery, and from that alone.

Mr. R. BRECKINRIDGE having reduced his motion into the form of a written order,

Dr. CATHCART. When the parties say they are

not ready for trial, can a judicatory compel them, *nolens volens*, to come forward and be tried? I never heard of such a doctrine. It is new to me, a new thing under the sun. I never saw or heard of such a thing, and I have sat in forty Synods.

Mr. R. Breckinridge. This is a court; and the appellant and appellee have declared themselves ready for trial, and here is a party who happens, accidentally, to have the evidence on which the cause turns, in his pocket: he enters an *interpleader*, and says that he will not deliver them up. If it was in a civil court, we should very quickly know what to do with him. Moderator we should send him to jail. Sir, the records of the universe do not show such a case. The judge below, whose decision is appealed from, puts the records in his pocket, and takes them home with him; and then pleads to the jurisdiction of the court above, and when the records are called for, refuses to give them up. I aver that such a case never occurred in the universe of God until this day. But, if the 2d Presbytery refuse to produce their records, we cannot, it is true, send them to jail; but there is another thing we can do: if they stand out, and refuse us the records, we can proceed, without the records, on the next best testimony we can obtain. If they fraudulently withhold the evidence, we can take the best evidence the case will allow. We can order them to produce the books: if they will not do it, I think the Clerk of that Presbytery should be arraigned; but in the meantime we can go ahead.

Dr. Ely. When a party pleads to the jurisdiction of a court before which it is to be tried, it is usual to permit the party to be heard. It may be a conscientious objection. Surely they ought to be heard in explanation of it. If it shall turn out that in this case there has been what Webster called "a leak in the law," that leak should be stopped. You have no right to direct our Clerk to obey you: he is bound to obey only the orders of his own Presbytery. You can hang, draw, and quarter us, and drag our car case before the Assembly. But it will be well for you to recollect, that our proceedings previous to the date of the commencement of your power over us are not subject to your revision, and you have no power to bring them before you. Those acts can now be revised only by the highest tribunal of the church. The case stands just so: and I hope there will be no exhibitions of wrath about the matter. The Clerk of the 2d Presbytery is their officer, and the Synod has no power to "arraign" any one of its members for not obeying those who have no right to command him.

Moderator. The Presbytery had no right to enter its plea. Such a plea can be received only from one

of the original parties in this cause. The paper presented here has not been received as a plea to our jurisdiction: it is entered on our records only as the Presbytery's reply to our demand for their records in this case.

Dr. J. Breckinridge. Was it not Dr. Ely himself who in the General Assembly proposed the plan of referring the whole subject to the Synod of Philadelphia by dissolving the Synod of Delaware? If that was intended as a trap, it is plain the Synod have fallen into it. It is at least somewhat singular that it should have been the same individual who laid the plan, and who now takes advantage of it to thwart our proceedings.

Dr. Ely. I did draw up the plan the brother refers to, but had it remained as I drew it, no such advantage would have been taken. It was not I, but one of the fathers of the Church, (Dr. Miller) who altered the plan as it came from my hands, by inserting the words "at and after:" the effect of which was, that the Synod of Delaware remained in existence, and in all its rights, until the day this Synod convened. These words occasioned an important difference in the form and effect of the Resolution. As for the transfer of the records it was a thing I never thought about. The omission of any provision on that subject was a mere slip of the memory: a lapsus in legislation: and possibly it was permitted by Providence that it might afford that protection to the Presbytery which is now contended for. We plead to your jurisdiction as having no retrospective control. From the day of your meeting, "at and after" that day we became subject to your control: but till then you have no power in respect to us or our doings.

Dr. J. Breckinridge. I hope Providence is not to be charged with our lapsus of legislation, whether intentional or otherwise.

Dr. Cathcart. The parties in this cause were under the jurisdiction of another Synod, which continued in being till the 28th of October instant, but which ceased to exist the moment we convened. As that Synod no longer remains to receive and issue the appeal, it must come here. Now one of the parties declares itself not to be ready for trial: and there seems to me something inquisitorial in our attempting to compel them to stand a trial, ready or not ready. We condemn the inquisition in Spain and Portugal: I hope we shall not introduce it here. I never heard of such a proceeding before.

Moderator. Both the parties declare that they *are* ready for trial.

Dr. Cathcart. Do they? I did not hear that. My hearing as you all must perceive is very defective,

Mr. Patterson of Philadelphia. It was the opinion of the court below, and on looking at the chapter on appeals, in our Book of Discipline, I am of the same opinion that——

Mr. R. Breckinridge called to order. The members of the 2d Presbytery had no right now to speak.

Mr. Douglas. The book declares that they are not to be heard till after the original parties.

Moderator. We have the answer of that Presbytery in writing. It has been heard, and peel on our minutes.

Dr. Cuyler. I move to amend the words of the order moved by brother Breckinridge for the books of the Presbytery by striking out the words "stated clerk of": so that the order should be directed to the Presbytery.

Mr. R. Breckinridge assented to this modification.

Mr. Duffield here rose and was addressing the chair.

Mr. R. Breckinridge and Mr. M'Calla called to order, and Mr. Duffield yielded the floor.

Mr. Maginly. I am in favor of the motion. No acts of the Assembly can set aside the provisions of the Constitution; and the Constitution orders the production of those records.

Mr. H. R. Wilson. When the appeal was taken by Dr. Junkin, did the Presbytery consent to the jurisdiction of this Synod? or did they enter their plea to our jurisdiction at that time?

Moderator. It appears from the date that this act was not done until yesterday.

Mr. Wilson resumed. It is strange if they are to withhold their records while there is an appeal taken from their decisions. It certainly was never designed by the Assembly that the records should be withheld in any case which came regularly before this body. It is perfectly plain to my mind that Synod has a right to pass the order proposed. Nor does it evince much of generosity or magnanimity in these brethren thus to avail themselves of a slip in legislation. The Assembly had no thought of such a state of things. Surely when they made the Presbyteries formerly under the Synod of Delaware to constitute a component part of this body, they concluded that those Presbyteries should be subject to our control. Our Book of Discipline requires them in case of an appeal to send up their records: and if they refuse to do it, we may censure them for their disobedience. Synod may order up the records, and if the Presbytery refuses them, it becomes liable to the censures of the church, and we may then proceed with the best evidence we can get. I for one am ready to meet the case. Sure I am the Assembly will never censure us for passing such an order: for should they do so,

they would virtually be censuring their own proceedings.

Dr. Green. The period in my long life is now passed in which I can say much. I merely wish at present to read a clause from our Book of Discipline. [Dr. G. here quoted the rule of proceeding in case of an appeal, and the order in which the parties are to be heard] I must confess I have been rather surprised to hear the position advanced that the Presbytery are no party in any wise in this cause. If they are no party why are they to be heard? The book directs that they shall be heard in explanation of their acts: but why so, if they are no parties? Surely they are made a party by this rule, although they are to be heard the last in order. We are now however arrested by a refusal of the record of the sentence below.

Mr. Dickey. Although there is, probably, no power in this Synod to compel the delivery of those books for our review, might not the Presbytery be persuaded to give an extract from so much of their records as relates to this case alone. It certainly looks ill on their part thus to arrest the course of our proceedings. They have, no doubt, the form of the act of Assembly in their favor, if they choose to insist upon it: but they may perhaps consent to waive their refusal.

Mr. Hill. I can state what was the impression of the Assembly in regard to this Synod. The very reason why that body did not dissolve the Synod of Delaware on the spot, was the information that the Synod was not to meet until after the meeting of this body. Then its constitutional existence would be destroyed, and its papers would, of course, come regularly before us.

Mr. M'Calla. I was out part of this morning, and was not till now aware that any motion had been made to compel a Presbytery to do this or that. Now as I talk much against compulsion in old mother church, I ought in consistency to be equally opposed to it in any of her daughters. I am for order: but not for compulsion. Now in my contests with the Papists, and they have a false point to prove, I have always heard them talk much about Paul and about the fathers: and experience has taught me that the very best way to refute all such arguments, was to go to Paul and to go to the fathers. I have generally found them confuted by their own authorities. Now if we pursue the same course I think we shall arrive at pretty much the same result. If we go to the records of the Assembly we shall find no such wonderful charm in these words "at and after." If it be true that they were inserted by Dr. Miller, I am very certain that it never was his intention to produce

such a state of things as this. The intention was to place that Presbytery under the jurisdiction of this Synod. I am told that Dr. Junkin would state, if called upon, that when he declared his intention to take an appeal from the sentence of the Presbytery, he enquired whether he could appeal to this Synod: and the answer he received was such as will justify a call for the papers.

Mr. DAVIE. I understood Dr. Junkin to say that the Synod of Delaware stood adjourned to meet on the 28th of October.

Dr. JUNKIN. You misunderstood me.

Mr. DAVIE. If it was not adjourned to meet before that day, then, as there could be no *pro re nata* meeting, with the reception of that Synod and those Presbyteries into this Synod, all their books and papers which do not prejudice individuals in those Presbyteries or that Synod are of course the property of this Synod. It is a matter of right that we shall respect and review them. The plea of the Presbytery says that no Presbytery can be at the same time under the jurisdiction of two different Synods, but it is worth nothing: for one of the Synods was so situated that it could not exert its authority, while the other did exert it, in all its strength.

Mr. MACKLIN. Dr. Junkin said——

Dr. JUNKIN. I want what I did say should appear on record. I am persuaded there is not a man in that Presbytery who will deny the statement to be true. I have drawn it up in writing, and now ask leave to submit it to Synod.

Dr. Junkin read the following paper, which he requested might go on the minutes, viz:

"I wished to appeal directly to the General Assembly, and made a proposition to the Presbytery and to Mr. Barnes to that amount. He objected, and the Presbytery acquiesced in the objection. The question then was, whether the Appeal should be to the Synod of Delaware or to the Synod of Philadelphia. This question depended upon the priority as to the meetings of the two Synods; and I asked whether the Synod of Delaware would be in existence and would have session before its expiration. I was answered in the negative, and accordingly with the consent, and as I believe, according to the wishes of the Presbytery, I appealed to this Synod.

GEO. JUNKIN."

Mr. BARNES. Is the Synod willing to hear me for a few moments?

Mr. R. BRECKINRIDGE. He is here as a party, and has a right to be heard.

Mr. BARNES. When the subject first came up, it was proposed by Dr. Junkin that the appeal should be taken to the then next Assembly, viz. that which met at Pittsburgh. I objected to this, on several grounds; the chief was, that I had not then time to

prepare myself: and the Presbytery deferred the matter till their meeting in June. I always stated my belief that the appeal ought to go through the Synod, and that none ought to wish it to take a different course. But if any such remarks were made respecting the Synod of Delaware and the Synod of Philadelphia as have been alluded to, it must have been at some time when I was not present. I am very confident that the opinion was never expressed that the appeal should be made to the Synod of Delaware.

Mr. M'Calla. Does Mr. Barnes recollect any objection being made by the Presbytery to an appeal of this Synod?

Mr. Barnes. Dr. Junkin and I agree in our recollection on that subject. We had a conversation about an appeal to Synod, but nothing, so far as I remember, was decided as to whether it was to be made to the Synod of Philadelphia or the Synod of Delaware. In reply to the enquiry of Mr. M'Calla, I would say that I do not remember that the subject was spoken of in Presbytery at all.

Mr. Patterson. If I am allowed to speak I can give the information desired.

Moderator. I hope he will be allowed to explain.

Mr. Kennedy, of Lewes. Had he any right to make a reference to this Synod?

Moderator. It is not a reference but an appeal.

Mr. M'Calla. Did the Presbytery object to an appeal being made to this Synod? That is the question I put: and I presume there is not a member of the Presbytery who will say that any objection was made to it. Mr. Barnes has stated that Dr. Junkin, in conversation with him, expressed his determination to appeal "to Synod." Can any man doubt to which Synod he referred? As to the Synod of Delaware, it was never expected to meet again, and it must therefore have been to this Synod that he intended, and was understood as intending, to make his appeal. Mr. Barnes, it appears, was of opinion that the appeal ought to pass through Synod: but Dr. Junkin did not know, and could not, when the Synod of Delaware was to meet: and could he appeal to that body?

Mr. R. Breckinridge, interposing. If he had appealed to that Synod they could not have tried the appeal: because the Synod consisted of but three Presbyteries, and one of them was to be appealed from: so that there could not be three Presbyteries left to act upon the case, which the constitution requires there should be.

Mr. M'Calla resumed. The Presbytery knew this, and yet did not object to his appeal. But now they object. It is plain to me that this is a constitutional proceeding: all the fault, if there is any irregu-

larity, rests on the intermediate court. A brother [Mr. R. Breckinridge] has told us that there never occurred such a case since the creation before. Now I am sorry to differ from a brother usually so accurate in his positions: but there certainly has been more than one case very like it, not only since the creation, but since the flood: it was under the famous constitution of Nimrod, in which might made right.

Mr. CAMPBELL. I hope our Synod [the Synod of Delaware] will not be blamed in this matter. If the brother over the way [Mr. R. Breckinridge] is correct, no synod can receive an appeal, which does not consist of more than three Presbyteries. If we had no more, it is certainly not our fault. The question before us now is whether there is law for our demand of these documents. The right of review and control is a constitutional right; it arises under the constitution. If the constitution gives us that right in respect to these records, then we have the right to demand them: but if there is no law for the demand, there is no crime in refusing to comply with it. Where there is no law there is no transgression. Now what is a Synod? The book says—

"As a Presbytery is a convention of the bishops and elders within a certain district: so a synod is a convention of the bishops and elders within a larger district, including at least three Presbyteries.

And what is its power? Over what Presbyteries has it control?

The Synod has power to receive and issue all appeals regularly brought up from the Presbyteries &c.

The Synod, then, can issue appeals from the Presbyteries. But from what Presbyteries? From those which constitute the Synod. Now the Presbytery appealed from did then belong to the Synod of Delaware. And there was nothing to prevent that Synod from holding a *pro re nata* meeting at the call of its Moderator. It has never been authoritatively decided that he cannot call such a meeting. But, supposing this to be impossible, and there was no remedy in what the Synod of Delaware could lawfully do: what then? Why then there was a "leak in the law." For this neither the Synod of Delaware nor the Assembly's Second Presbytery are responsible. What then is to be done? I say that it is best to abide by the law. What said Mr. Webster in a like case? Congress laid a duty on lead in bars. An importer, wishing to evade the duty, imported lead in busts and other forms. The collector demanded the duty: the importer refused to pay it: and the cause went up to the Supreme Court. Mr. Webster's argument was that as there was here a leak in the law, it was better to adhere to the law until it was mended, than to establish law by mere construction. I

hold to the same doctrine. It is dangerous to make laws by construction. You may hang a man by construction. Different minds, we know, will put different constructions on the same language. In our case there is no need of resorting to construction, because we have a remedy. The remedy is to begin *de novo*. We cannot try this appeal without the documents on which to try it. But you may begin anew. You may put Mr. Barnes into the bounds of a Presbytery which you can form, and you may order that Presbytery to take up his book and try him upon it. The Assembly has no control over this case. Had they ordered the records of our Synod to be delivered over to this Synod, then you would have had the right to review them. But now you have no such right. It is, as I said, a constitutional right, and the constitution does not give it to you. The assembly might have dissolved the Synod of Delaware at once, on the spot: and then its Presbyteries would have passed at once under the control of this Synod; but it did not do this. And it is not the business of the Synod of Delaware to supply what the Assembly omitted. Nay, it has no right to do it. For my own part I should be glad if it could be done: we might then issue this appeal now as well as at any time: but as we are *Presbyterians*, and as some of our brethren are so zealous for adhering to the very letter of our standards, why let us go where the book says. This is then our doctrine; I say amen to it. In a word, the whole question before us is this, Have we law for our demand of these records? if there is law for it, I am ready to bow to the law.

Dr. JUNKIN, interposing—Here is the law.

[Dr. Junkin here read again from the Book of Discipline the first clause of the paragraph. Chap. 7. Sec. 3. Sub. Sec. 16. See it above.]

And now, if the brother does not sit down he will have forfeited his character.

Mr. CAMPBELL. Very true, the Book so declares: but the book supposes, at the same time, that "the judicatory above" is a judicatory which has a right to demand the records: if so, the court below must send them up: that I do not dispute. But we are no nearer to our conclusion, unless it can be shown that the court above has legitimate cognizance of the case. Suppose the Synod of Virginia should undertake to issue an appeal from a decision of the Second Presbytery of Philadelphia; would the Presbytery be bound to send up copies of its records to the Synod of Virginia? Will the Dr. take that ground? Will he apply the rule he read so triumphantly to such a case? Suppose a man aggrieved by the Presbytery of Philadelphia had appealed to the Synod of Ohio; would he get up and read his rule, and insist the records should be sent to Cincinnati? I ask him the question.

Dr. JUNKIN. Read the whole.

Mr. CAMPBELL. Well, I will read the whole.

[Mr. Campbell then read the remainder of the paragraph quoted above by Dr. Junkin, declaring that the presbytery shall be censured for neglect of duty, &c. See it above.]

Well sir: and so if the Pyesbytery of Philadelphia refuses to send up its records to the *Synod of Virginia*, it is to be censured, is it? Let him first show that the Synod of Virginia has cognizance of the case, or let him keep his seat.

Mr. PICKANDS. It has been asked whether the Second Presbytery assented that Dr. Junkin's appeal should be issued before this Synod. A previous question is, whether the Presbytery had a right to assent to any such thing? They had nothing to do with it: nothing to say about it: no assent or dissent to give in the matter. A man feels aggrieved by a sentence of theirs and says: I will appeal from your sentence. Very well. the Presbytery are not bound to say, we consent that you shall. They could not regularly consent to an appeal to the Synod of Philadelphia, because they were under the jurisdiction of another Synod, the Synod of Delaware. But it was said by brother M'Calla that it was acknowledged at the time, that the Synod of Delaware was dissolved, or virtually dissolved. Moderator, I know of no such thing. Our Synod stood adjourned to meet at Snow Hill. True, we were, at and after a certain day, to be dissolved: but until then we were in existence as much as ever we had been. And it would have been passing strange if one of our Presbyteries should consent to an appeal's being taken to a foreign body, while their own Synod was still in existence. Again, it has been said that it takes three Presbyteries to constitute a Synod, and as one of those was a Presbytery appealed from, there would not be a Synod left to act upon the appeal. It is very true that it takes three Presbyteries to constitute a Synod: but it is also true that if but seven members from the different Presbyteries are present they constitute a Synod. There must have been one from each Presbytery to constitute the Synod, but, once constituted, it can continue its sittings, whether it happens that there are members present from each one of the Presbyteries or not.

Mr. R. BRECKINRIDGE, interposing—No; it is said that some from each Presbytery are necessary to constitute a quorum, and business cannot go on without a quorum.

Mr. PICKANDS. True: they must be there at first to constitute the Synod: but when the Synod is constituted it can proceed with its business, though its numbers should fall so low as seven only, and they all from two Presbyteries, or even from the same Presbytery.

Mr. R. Breckinridge. No: there must be three of the seven from three different presbyteries.

Mr. Pickands. Suppose members should get leave of absence: and it should so happen that all the members of one of the three presbyteries should leave the judicatory, would that dissolve the synod? I conceive not. I believe the clause which has been read refers only to the opening and constituting of the synod.

Mr. J. Latta. I hope we shall have an end of these desultory remarks. Have you given up your call for the presbytery records? I hope we shall come up to some decision, and not waste our time in this manner.

Mr. Kennedy. The motion, as introduced into the Assembly by Dr. Miller, was that "at and after" a certain day the Synod of Delaware should be dissolved.

Moderator. Not so. The brother is mistaken. Let the clerk read the act of Assembly dissolving the Synod of Delaware.

The act of Assembly was according read as follows:

Resolved, That at and after the meeting of the Synod of Philadelphia in October next, the Synod of Delaware shall be dissolved, and the presbyteries constituting the same shall be then and thereafter annexed to the Synod of Philadelphia: and that the Synod of Philadelphia, constituted by the union aforesaid, shall take such order concerning the organization of its several presbyteries as may be deemed expedient and constitutional: and that said synod, if it shall deem it desirable, make application to the next General Assembly for such a division of the synod as may best suit the convenience of all the presbyteries, and promote the glory of God.

Mr. Kennedy. Very well: was not the Synod of Delaware in existence until the day of the meeting of this synod? And if it was, then the records of all its presbyteries were under its review and control up to that day. This synod has no more right to the records of the 2d Presbytery of Philadelphia than to the records of the Presbytery of Lewes, or of any other presbytery belonging to the Delaware Synod, or to any other Synod. The day this synod sat, ours, [the Synod of Delaware] was dissolved; but not before: consequently it was impossible the appeal could regularly be taken to this synod.

Mr. Macklin. If the records do not belong to this synod, what other synod, I ask, is to receive them? Either we have the power, or it is no where. Here are the proceedings of an entire ecclesiastical year not to be reviewed by any synod whatever! It was taken for granted by the Assembly that the records of the Synod of Delaware and of all its presbyteries were, as of course, to pass into the possession and control of this synod.

Mr. Winchester now called for the reading of Mr. Breckinridge's motion, ordering the records of the

Assembly's 2d Presbytery to be laid on the table. And it was read accordingly.

Dr. J. Breckinridge. When was the Synod of Delaware to have met if it had not been dissolved?

Mr. Gilbert. On the day after this synod met: viz. on the 29th of October. We met on the 28th.

Dr. J. Breckinridge. Much of this discussion is certainly irrelevant. We are not, now, claiming the records either of the Synod of Delaware or of the Assembly's Second Presbytery. All we want, at present, is the evidence in the cause before us. The motion calls for this, and for this only. The Presbytery do not pretend that they are not, now, under the jurisdiction and control of this Synod. They appear here as being under our control. Here is a case in which they are deeply interested. One of their own members has been charged with holding heretical opinions: they tried and acquitted him. The appeal has been made to us; and we now ask them for so much of their records as relates to this case. The time of the union of the two Synods will not settle the question whether we are entitled to their records or not. When called upon for the records, the Presbytery attempted to plead to our jurisdiction, and did so with a view to the withholding of the records. But can they enter a competent plea? Who is to judge of its competency? This Synod, undoubtedly, and the Synod has judged of it, and has overruled it. Are the Presbytery still to refuse and openly to rebel against us? and this while they acknowledge they are under our control? Or will they yield the point? I trust they will not rebel, but that they will yield, like brethren. The question is, whether the parties to this cause have entered any plea to our jurisdiction? The parties have not: they declare themselves ready for trial, and the way is paved for the Synod to proceed. But we want the evidence: we want the record which contains it. Why will our brethren of that Presbytery hold out in refusing it? Do they not see that they are doing injustice to one of their own members? Mr. Barnes has a right to claim the production of the recorded proof in his case. But if the Presbytery still refuse, and are determined to rebel, the Synod can go on mean while and try the cause, and then arraign the Presbytery for contumacy. And now the question recurs, if they shall hand in their records, who takes the responsibility of the wrong done? Not the Presbytery: it is we ourselves who must take it. We are answerable, if there has been any violation of order committed. Why then will they be so very tenacious? They cannot be standing upon their rights: for the Synod has decided against their right; and for this decision we take the responsibility. The Assembly, it is very true, did not ex-

pressly say, the books of the Delaware Synod or of its Presbyteries should be transferred to us for our review and control; and we do not ask for all these records. The union, however, of two such bodies, does certainly imply that there shall be a union of property in their records of every sort. An amalgamation of two public bodies into one, involves an amalgamation of these documents and of all their public property of every kind. There is a vitality in the union thus created. It is perfect and entire. Why, then, are we to take them into our bosom as a part of ourselves, and yet be debarred the right of examining into their proceedings, which proceedings do, in fact, constitute the vitality of the judicatory. It lives only in its acts. This doctrine holds in all civil unions, of states, or of the counties of a state, and there is a reason for it. If the records of individual right exist in one county court, and that county is blended with another, will the court refuse to deliver up the records of these rights, that they may be continued and preserved in the united civil body? Such a thing, I will venture to say, was never heard of in the world till it was broached here.

Dr. JUNKIN. I have in my possession a certified copy of the sentence of the presbytery, from which I appeal. And I now hold in my hand the original testimony exhibited by me before the presbytery, though it is not indeed regularly certified by the moderator or clerk. I can, however, prove its authenticity and identity, orally, by a living witness, under oath if necessary. And I would say to my friends here, why will you embarrass the case by a long discussion, when you have a majority of 99 who are ready for the question?

MODERATOR. The question is on adopting the order that the Assembly's 2d Presbytery lay so much of their records on the table of this synod as relates to the cause before it.

The question was therefore put, and carried by a large majority.

Mr. R. BRECKINRIDGE. I move you that the stated clerk of this synod do forthwith put into the hands of the stated clerk of the Assembly's Second Presbytery a copy of this order.

Mr. WYNKOOP. Will it not be better to say, into the hands of the Moderator as well as the clerk of the presbytery?

Mr. R. BRECKINRIDGE. Agreed. Let that modification be made.

Mr. DUFFIELD. Does this order overrule the plea our presbytery put in to the jurisdiction of synod?

MODERATOR. We are not through with this yet.

Dr. CATHCART. Synod has power to censure a presbytery: but not to compel them.

Mr. DICKEY. I move that the members of the Assembly's Second Presbytery have leave now to retire. They may wish to consult together upon this order.

Mr. R. BRECKINRIDGE. They are neither parties to the cause, nor members of the synod while trying it.

Mr. GILBERT. I wish that question decided. I wish the moderator to decide whether the presbytery is or is not a party?

MODERATOR. They are a party, and will be heard in due time: but they are not one of the original parties.

Mr. GILBERT. Have they not a right to speak to questions of order as well as other members have?

MODERATOR. That is a question which I hope the House will decide.

Mr. R. BRECKINRIDGE. I move you an order in this form.

Resolved, As the sense of the Synod, that no member of the Assembly's 2d Presbytery of Philadelphia, (except Mr. Barnes and he by virtue of being an original party) be considered at liberty to take any part in the progress of this cause, except to speak in explanation of their judgment, or their dissent, at the time indicated: Book of Discipline, Chap. VII. Sec. III. Sub. Sec. VIII. or to give information at the request of synod, as indicated in Sub. Sec. IX of said Sec.

Mr. BARNES. I am opposed to the passing of such an order. I do not know why I am to be selected, while my brethren of the Presbytery are to be shut out. I should like to know on what ground such a distinction is to be made. The appeal is not from my course, be it right or be it wrong: the appeal is from the course pursued by the Presbytery. It therefore brings the Presbytery before you: and the action of the Synod must be in relation to the Presbytery. Your first business is not to arraign me, or to try me; but to arraign and to try the Presbytery for acquitting me. You are to judge the Presbytery, and for that purpose to know on what grounds they proceeded.

Mr. MORSS. Does not the book allow the Presbytery to be a party as much as Mr. Barnes?

Mr. BARR. Neither of the original parties, or the Presbytery, have a right to say one word as to the order of proceeding. You might as well allow Dr. Junkin, (who is not within the bounds of our Synod,) to discuss questions of order here, as the Presbytery, or Mr. Barnes either.

Mr. McCALLA. I think Mr. Barnes has just as much right to speak as Dr. Junkin.

Mr. BARR. Certainly. But he is not a part of the court to dictate to you how you shall proceed in conducting the trial.

Mr. GILBERT. You have demanded the records of the Presbytery, and are going to condemn it, if it re-

fuses to give them up. Have not the members of Presbytery a right to be heard, before you condemn them? Surely they have as much right to be heard as Mr. Barnes has.

Mr. Reece. How do courts of law conduct their business? Mr. Barnes has a right to be heard by himself, or by counsel, but the Presbytery has not. This body being a court for the time being, should conduct its business on the same principles as a civil court does. I believe the Presbytery has no right to vote. The Synod is to say whether the Presbytery has done right or wrong. It strikes me that the whole proceeding is wrong; it began wrong, and it is likely to end wrong. I think we had better get rid of it as soon as we can. The Assembly inserted the words "at and after" in its order, and those words support the Presbytery in the ground they have taken. I say again, you have begun wrong, and you will end wrong.

Mr. Eustace. Has the Moderator decided, and the Clerk recorded, who are the parties? or do I understand it as decided that there are three parties?

Moderator. There are two original parties: Dr. Junkin and Mr. Barnes: and the Presbytery is a party so far as that it may be called upon to explain or justify its own proceeding.

Mr. Eustace. My question is still unanswered. Who are the parties *before this Synod?* Are they Mr. Barnes and Dr. Junkin, or Dr. Junkin and the Presbytery?

Moderator. I have answered the questions plainly.

Mr. Grant. I hold in my hands a certified copy of the order of Synod, addressed to the Moderator of the Assembly's Second Presbytery, to deliver up its books. That Presbytery stands adjourned to meet at the call of the Moderator. I therefore request the Presbytery to meet at the house of Dr. Cathcart, as soon as Mr. Eustace's question shall have been answered, and the Presbytery can get a certified copy of the answer.

Mr. Eustace. I have received a similar communication, addressed to the Stated Clerk of that Presbytery.

Dr. Cuyler. I hope brethren will not continue to act in this poor pettifogging way. It is unworthy of a court of the Lord's house.

The question being now put on the order as above moved by Mr. R. Breckinridge, it was carried.

Mr. Grant requested a certified copy, that he might lay it before the Presbytery. The copy was ordered.

Dr. Green. I now move that we proceed to issue the appeal on the best evidence we have. Dr. Junkin has stated that he is in possession of a certifi-

ed copy of the sentence, and a correct copy of the evidence laid before the court below.

Dr. CUYLER. I am unwilling to proceed, until the Presbytery shall have had a reasonable time to consider on the propriety of complying with the order of Synod. Perhaps it will be better that the court, as such, have a recess. The Synod can still continue to sit and transact other business.

Mr. BARR. I doubt if that is constitutional. We must first postpone the trial, after we have once entered upon it.

The Moderator proclaimed a recess of the court for 15 minutes, and gave leave for the members of the Assembly's Second Presbytery to withdraw; and they thereupon withdrew.

The Synod then proceeded to receive reports from the Presbyteries on the state of religion. Very few were handed in.

Dr. J. BRECKINRIDGE. There is not enough, in these meagre statements, to furnish the materials for a report. This is a matter which should not be passed over in this way. It is, in fact, the most important of all the business we transact. It contains the essence, the very super-extract, of all our doings. I think it would be desirable that we should appoint an evening especially to attend to this matter. It would be a profitable way of spending a portion of our time.

Before any motion on the subject was made, Synod took a recess at half past 2 o'clock.

After a recess, Synod met and resumed its judicial capacity.

Mr. GRANT, moderator of the Assembly's 2d Presbytery of Philadelphia, reported that the Presbytery had met at his call, and had, after having considered the resolution of Synod, requested him to state the result. And in doing so, said Mr. G., suffer me to say that whatever the Presbytery may have deemed it our duty to decide, nothing is farther from our intention than to manifest any thing like disrespect to the authority of the Synod, or the persons of those who compose it: and had we been privileged, this morning, to speak for ourselves, we should have made this very apparent. We do not deny the present jurisdiction of this Synod over us. All we insist upon is the constitutional right of being free from that jurisdiction previously to the 28th day of October, up to which day we were subject to another body, and all our acts liable to its review and control. We have carefully, and we trust prayerfully also, considered the matter, and I am directed to hand in this minute, as expressing the issue of our deliberations:

"*Whereas* the Synod have not considered, and acted on, our *plea in bar*, presented to them this morning; nor suffered

us to be heard in explanation or support of this plea; but have excluded us from the house, and ordered us, forthwith, to lay our records in the case of Mr. Barnes, before the Synod—therefore

Resolved, That the Presbytery respectfully refer the Synod to that plea, and decline the presentation of our records to them,—the Synod of Philadelphia being, in our judgment, not authorised by the General Assembly, to take cognizance of the doings of this Presbytery, prior to the 28th of October, instant. Moreover, the Presbytery respectfully represent to the Synod, that Dr. Junkin had no instructions or pledge from us, in relation to the body to which he should appeal."

A true extract from the minutes of Presbytery.

GEO. DUFFIELD, Clerk.

York, Oct. 30, 1835.

Mr. R. BRECKINRIDGE. I move you that this paper be inserted on the minutes of Synod. Ordered.

Dr. JUNKIN. I have in my hands an official paper from the Stated Clerk of that Presbytery, which, with the leave of Synod, I will read.

Dr. McDOWELL. Before we hear Dr. Junkin, I would say that I hope we shall hear the Presbytery also.

Dr. JUNKIN. I hold two letters, one official, and the other I should denominate semi-official, from which it will appear that when this order was entered on the Presbytery's minutes, the thought of resisting your jurisdiction had not yet arisen in their minds.

Philadelphia, Oct. 13, 1835.

Rev. Geo. Junkin, D. D.

Dear Brother—In accordance with the annexed resolution of Presbytery, I have to request that you will cause to be deposited in my hands the written testimony, on your part, in the case of Mr. Barnes,—the charges I already have. As the meeting of Synod approaches, it is desirable that you furnish it forthwith, that I may be enabled to send to Synod all the documents in the case. With the best wishes for your happiness and usefulness, &c. I remain yours in the gospel,

THOMAS EUSTACE.

Extract from the minutes of the Second Presbytery of Philadelphia, in session July 10, 1835.

"Resolved, That the written charges and testimony of Dr. Junkin, and the written defence of Mr. Barnes, be preserved on the files of this Presbytery." Attest,

THOMAS EUSTACE,

Stated Clerk of the Second Presbytery of Philadelphia.

In addition, I can prove, on oath, that the Moderator of the Presbytery announced publicly, that it was understood, that the question of the jurisdiction of Synod was not to be permitted to bar my rights as appellant, in the trial of my appeal.

On motion, it was resolved to hear Mr. Eustace in explanation.

Mr. EUSTACE. There is a distinction to be taken between my acts as an individual and as the clerk of

my Presbytery. I have been grieved to hear the liberties which have been taken through a disregard of this distinction. I have been arraigned for acts done by me merely as the official organ of the Presbytery, as though they had been my private individual acts. I have a strong reason for wishing that matters were situated differently from what they are, and that this Synod did possess the power of reviewing the doings of our Presbytery during the past year: but I did not think they had that right, and therefore I did not take those measures which I should in other circumstances. In the paper just read by Dr. Junkin, where it speaks of an appeal "to Synod," there is not a word to designate to which of the two Synods the appeal was taken; and it was my duty to request of him the copy to which my letters refer.

Mr. R. Breckinridge. I wish to ask of Mr. Eustace, not as clerk of Presbytery, but as a Christian man, whether in speaking of "the Synod," he did not understand and mean the Synod of Philadelphia?

Mr. Eustace. As an officer of that Presbytery I made all the necessary preparations for issuing the appeal.

Dr. McDowell. Was it by direction of the Presbytery that he wrote this letter to Dr. Junkin?

Mr. Eustace made some reply to this inquiry, which the Reporter could not hear. (Mr. E. sat at a distance, and was at no time distinctly heard at the Reporter's table: whence it may happen that his replies have been imperfectly given.)

Dr. Junkin. Had Mr. Eustace instructions from the Presbytery to furnish the necessary documents to this Synod?

Mr. Eustace. (after a pause.) I believe that I can say literally that I had no such instructions.

Mr. R. Breckinridge. Literally! he can say "literally!" why! did we ask him if he could say figuratively?

Dr. Ely. The Presbytery did not, at the time of passing its sentence of acquittal, know certainly that Dr. Junkin would appeal; and when he sent his notice of appeal, the Presbytery was not in session to give such order.

Moderator, What is the date of Dr. Junkin's appeal?

Dr. Junkin. July the 17th, 1835.

Dr. Ely. It was sent to the Moderator, but the Presbytery was not in session, and it could not foreknow to which body the appeal would be made.

Mr. R. Breckinridge. Does Dr. Ely honestly declare that he did not believe and know that it was to this Synod Dr. Junkin's appeal was taken?

Dr. Ely. I had to be sure, my own thoughts about

it: but if he had appealed to the man in the moon, we had nothing to do with it, and could not have known before hand that he would have looked so high.

[Here there was much sensation in the Synod, and for a time there was so much conversation and such a confusion of sounds, that nothing could be heard with sufficient accuracy to be truly reported.]

MODERATOR. I can testify that the appeal was put into the hands of the Moderator of the Presbytery within ten days after its meeting in July. There must have been an intervening meeting of the Presbytery.

Mr. WINCHESTER. What is the date of the extract from the minutes read by Dr. Junkin?

Mr. DUFFIELD. The true history of the matter is this: The Presbytery adjourned before any final sentence was given in the case: I do not know exactly how long before: but Dr. Junkin was assured that no advantage should be taken of his absence, should he not be present when the sentence was given, but that information should be sent to him as soon as possible, by transmitting a certified copy of the act of Presbytery to his agent. The Presbytery then met, and agreed upon its sentence, a copy of which was according to promise, forthwith delivered to Dr. Junkin's agent. For myself, the first time I saw the sentence, was when I read it in the Presbyterian: and the document now in the hands of the Synod was taken from the copy furnished to the editor of that newspaper. Mr. Boardman, the clerk, had the papers from which to make a minute, but he was sick, and his family in affliction, and the whole lay in a state of some confusion. The stated clerk finding this to be the state of things— * * *

Mr. R. BRECKINRIDGE here interposed with great warmth. I will not stand by and hear an absent man censured in this manner, while he has no opportunity to defend himself. I am well acquainted with that very estimable young brother, and I know his scrupulous attention to his official duties of every kind— I will not hear his character attacked in this style.

Mr. DUFFIELD. I have not censured brother Boardman in the slightest degree; I stated that he had been sick: and his family in a state of affliction. Was this any censure? All I meant to say, and I say so still, with entire regard for brother Boardman, was, that if there is any disorder in these records (and I do not know that there is any,) brother Boardman and not the stated clerk, Mr. Eustace, is answerable for it. I heard the latter say that there was a gap in the minutes, and that he had written to Dr. Junkin requesting him to furnish a copy of some of the papers. I know that brother Boardman was ill—I sympathize in his affliction as much as any one—and

it was in consequence of this that he was unable, as I understood, to complete the minutes.

Moderator. If I had thought that what Mr. Duffield said implicated the character of brother Boardman, I should have stopped him.

Mr. R. Breckinridge. It does implicate it. They first hide their records: then they throw the blame on the state of the records: and next they throw it on an absent sick man: and then they say that they charge no man.

Dr. Ely here asked permission to explain; but it was loudly objected to.

Mr. Gilbert. If it is in order to make a man implicate himself, it must be in order to hear a man in explanation and defence.

Mr. Duffield said something on the point of order.

Mr. Gilbert asked for the reading of the order (in relation to who shall be permitted to speak, &c.;) and it was read accordingly.

Mr. McCalla. The order declares that the members of the 2d Presbytery are not to speak, save to give information in relation to the judgment passed. The Synod have asked for no such information, save once in the case of Mr. Eustace; and I am opposed to the liberty's being granted. We asked for those documents which were necessary in order to enlighten our judgment in the case submitted, by appeal, to our decision: these they refused: and now they hang on our flanks, and spend the time of the Synod in telling us long stories without any meaning: and when pressed to the real points in dispute, they go round and round them, but take care never to touch one of them. I am against the continuation of such treatment. I hope the leave asked will not be granted.

The Moderator said that it was his opinion, that to give Mr. Eustace permission to speak would not be in order.

Mr. R. Breckinridge now moved the following preamble and resolutions:

Whereas the 3d section and 16th sub-section of the 7th chapter of the Book of Discipline confers on the Synod the power to *censure*, according to circumstances, any judicatory that shall neglect to send up authentic records of any trial in which an appeal is taken: And whereas the (Assembly's) Second Presbytery of Philadelphia has not only neglected, but refused, by a minute this day laid on the table of Synod, to produce the record in the case of Mr. Barnes and Dr. Junkin, which is an appeal regularly taken, and prosecuted, although it is admitted by the Stated Clerk of said Presbytery that the said records are present, and in possession of said Presbytery: And whereas, that refusal is aggravated in its injustice, by the fact that the members of that Presbytery itself prevented the appellant from appealing directly to the General Assembly, as was his declared desire, and this at a period

when there was, and could be, no Synod to which he could appeal but this Synod; because the Assembly had ordered the dissolution of the Synod of Delaware before the next stated meeting to which that Synod stood adjourned; and there is no provision known to us for any *pro re nata* meeting of any Synod:

And whereas, this Synod has passed a special order directing said Presbytery to produce the record necessary in the case on trial—which order the Presbytery explicitly refuses to obey: Now, therefore, be it Resolved, that, in the judgment of this Synod, the conduct of the (Assembly's) Second Presbytery of Philadelphia, in all the premises, is *obstinate, vexatious, unjust, uncandid, contumacious*, and grossly disorderly.

And whereas, the (Assembly's) Second Presbytery of Philadelphia has suppressed the records in the case in which Dr. Junkin has appealed to this Synod from the decision of that Presbytery in the case of Mr. Barnes: And whereas this Synod has used, without success, such means as seemed proper, to obtain possession of said records as proof in the case:

And whereas, it is known to Synod, that true copies of all the proceedings and proof in the case are, from other sources, accessible to it: And whereas the original parties have been asked, and declared their readiness for trial; and it does not appear to Synod that the cause of the appellee would be prejudiced by the conduct of said Presbytery, in suppressing the records, as stated above, contrary to the order of Synod and the wish of the appellant; And whereas, the cause of truth, and the glory of God, do, in the judgment of this Synod, require it to make still further efforts to issue his case: Therefore Resolved, that Synod will proceed to hear and dispose of the appeal now pending.

Mr. BLYTHE called for a division of the question on these resolutions, and wished the paper read and considered by paragraphs.

Dr. MCDOWELL. I perceive in that paper one principle which, while it does not strengthen the document at all, may, I think, lead us into difficulties. I mean that which relates to the doctrine that a Synod consisting of three Presbyteries cannot try an appeal taken from an act of one of them. I could wish that that part was stricken out.

The paper was now again read, by paragraphs, for consideration. The first clause having been read as follows:

"Whereas the 31 section and 16th sub-section of the Book of Discipline confers on this Synod the power to censure, according to circumstances, any judicatory that shall neglect to send up authentic records of any trial in which an appeal is taken:"

and the question being on its adoption,

Mr. GILBERT said, he should not argue the question; but it was certain that the clause here referred to did not settle this case at all, unless it be assumed that this Synod has jurisdiction in the case: to assume which is begging the question to be proved. If

the appellant has appealed to a body not having jurisdiction in the case, the Presbytery, certainly, is not bound to send up its records. If a minister appeals to the Pope, must the Presbytery send its documents to Rome? or be censured, if it refuses?

MODERATOR. It has been decided that this Synod has jurisdiction in the case: that point cannot be again drawn into question.

The clause was then agreed to.

The second clause was then read, as follows:

"And whereas the (Assembly's) second Presbytery of Philadelphia has not only neglected, but refused, by a minute this day laid on the table of Synod, to produce the record in the case of Mr. Barnes and Dr. Junkin, which is an appeal regularly taken and prosecuted; although it is not alleged that the said record is not present and in possession of said Presbytery"

This clause was also agreed to.

The third clause was then read:

"And whereas that refusal is aggravated in its injustice by the fact that the Presbytery itself prevented the appellant from appealing directly to the General Assembly, as was his declared desire; and this at a period when there was, and could be, no Synod to which he could appeal but this Synod."

Mr. BARNES. I am very confident the Presbytery never did what is there alleged. Dr. Junkin and I had a conversation on the subject, before the decision of the Presbytery, in which I told him that it was not certain that there would be the necessity for any appeal; but that if there was, I should proceed in a regular manner as became a Presbyterian.

Dr. JUNKIN. In one sense it is true that my notice of appeal was given in before the decision of the Presbytery was declared; that is, before the committee appointed to put the judgment of the Presbytery into a written form, had done so. But the votes of the Presbytery had been taken and had negatived the prosecution. I had a conversation with the Moderator of Presbytery, and told him, that if Mr. Barnes would consent, I was desirous of going at once to the Assembly. I believed there was no danger that the Assembly would remand the case to the Synod. But when I stated in open court my intention of appealing, there was a distinct acquiescence on the part of the Presbytery that I should take my appeal to the Synod of Philadelphia. Mr. Grant, I am confident, will tell you so now.

Mr. PHELPS. From the language of this part of the paper it would seem that there is an intention of casting on co-presbyters, who are absent, and out of court, an imputation of duplicity unworthy of the ministerial character. When Dr. Junkin was up on a former occasion, he said that he could appeal for the correctness of his statement to all the members

of the Presbytery, who would justify the correctness of his statement. To this appeal, the members of Presbytery, although they were forbidden to open their mouths, expressed their dissent by shaking their heads, and yet now the fact is assumed as not to be disputed, and they are forbidden all opportunity of reply. Is this fair dealing? The assent of some individuals is a different thing from the declared assent of the whole Presbytery. Private conversation is one thing, and an official act is another. It is unnecessary and improper to implicate men in this manner, whose lips are sealed. I do think, indeed, that it would be a wiser course in the Presbytery, to give up the records, and not to insist upon the legal right of withholding them: but the Presbytery have considered the case, and come to an opposite conclusion. I am, however, opposed to the adoption of the clause now under discussion.

Mr. CAMPBELL. Many of the arguments which have been used in that paper are wholly out of place. What if it should be proved that the Presbytery once thought it would be regular for Dr. Junkin to appeal to this Synod, does that prove that they must of necessity think so now, when, on examination, they find there is no law for it? The Presbytery's consent, admitting it to have been given, does not give this Synod a constitutional jurisdiction over their acts. So that this aggravation of their offences may as well be left out.

Mr. McCALLA called for the reading of the clause again: and it was read. I don't see, said he any thing so very furious in that. An article is read: Mr. Barnes objects to the statement: Dr. Junkin answers him: and it is then said that there is great injustice, because Mr. Barnes cannot deny it. Is it to be expected, when this Presbytery refuses to come before us in a legitimate manner, that they shall afterwards be allowed to come in by a side door, and take up all the time in speaking, and debating every point that may arise? Sir, no historian will ever condemn such an article as this. If these gentlemen want to come into court, the constitution tells them where they may come and how: but if they want to jump in at the window, it is for us to say whether we will permit it to be done. I am against it.

[Mr. PHELPS here made some remarks, which the reporter was prevented from hearing. He gathered the substance to be, that if Dr. Junkin was allowed to make statements of fact, the Presbytery should have an opportunity of reply.]

Mr. BARNES. I do not wish to take up the time, or to embarrass the Synod. I wish that the history of facts received by the Synod should be a true history: and it is a truth that the 2d Presbytery, as a Presby-

tery, took no order as to what body was to be appealed to. In March, the Presbytery did decide that the appeal was not to go up to the Assembly at that time; but in June, it was agreed that it should go up regularly. I never objected to its going to the Assembly. It was nothing to me. But if you adopt that clause of the proposed preamble, you will put yourselves, as to a matter of fact, in direct collision with the Presbytery.

Mr. R. BRECKINRIDGE. I am willing to meet the difficulty, by altering the phraseology, and instead of saying, "the Presbytery itself prevented, &c." to say, "members of the Presbytery." This will remove the objection, since I perceive they hinge their objection on the ground that the act was not official.

Mr. STEELE wished this alteration to be made. I can confirm the statement of Mr. Barnes, that there was no direct presbyterial action had upon it. I was present at the time, and remember well what passed. The Moderator of the Presbytery observed, that he hoped the brethren would acquiesce and allow the case to go up to the Assembly, that the question might be decided by the voice of the whole church; but if they refused, if the Synod should be put out of the House, then the voice of the whole church would not be heard. A first there seemed to be an assent to this; afterward however, there were one or two members of the Presbytery who expressed dissent. That the Synod of Philadelphia, and not the Synod of Delaware, was meant, I have no doubt. I tried all I could to get Dr. Junkin to appeal to the Synod of Delaware, but I could not succeed.

Dr M'DOWELL. I move you that we refer this whole subject to a committee: but I wish, by way of preface to that motion, to offer a few remarks. My object is that a committee be appointed to prepare a minute to go upon our records.

Mr. R. J. BRECKINRIDGE here interposed with warmth, protesting against having a resolution of this kind thrown directly across the path of the judicatory when it was proceeding in the discussion of the paper before it.

MODERATOR. If the motion is to commit, it is in order.

Dr. M'DOWELL. That is my motion. I do deplore, and highly disapprove of the course taken by the Presbytery in relation to its records; I regret it deeply: I am persuaded that its effect will be to prejudice their cause, especially before the public. But, at the same time, I recollect that our proceedings in this matter are all to be reviewed and closely scrutinized by the General Assembly, and I wish that we may observe so much caution in every step we take, that no flaw shall be found in any part. There are a num-

ber of expressions and principles in the paper now before us, which we might look at very differently if we viewed them separately, dispassionately, and not in connection with this case. The paper contains the condemnation of a Presbytery, and that in very strong terms, and we are asked to adopt it while the Presbytery is not heard in its own defence! To this I am opposed. The moment you propose to inflict censure upon a Presbytery, the Presbytery possess a right to be heard. The Assembly will not attend to the posture of circumstances, and will not distinguish as some of us are disposed to do: they will only look at the fact that the Presbytery was condemned unheard, and the whole Assembly will cry out against you. Instead of adopting a paper like this, I hope we shall appoint a committee, who will draw up a temperate statement of facts, such an one as we shall hereafter be able to look at with pleasure: but this document contains language, and applies it to a court of the Lord's house, such as I never could adopt in reference to the worst enemy I have on earth. I trust we shall look at the whole case temperately and coolly, and that before we attempt to censure a Presbytery, we shall at least allow them to be heard in their own defence; and that we shall not attempt to spread upon our records an *ex parte* statement of facts, such as the judicatory may deny. I think the wisest course will be to refer this matter to a committee, and in the meanwhile let Synod proceed with the trial.

Mr. M'Calla. The three arguments I have heard against the adoption of this paper are these: first, that the language is too severe; secondly, that the Presbytery is unheard: and lastly, that all the time we are discussing it we are putting off the trial of Mr. Barnes. Now, as to the severity of the language, I should like to hear the clause read once more.

Mr. R. Breckinridge read it again.

Mr. M'Calla. Very well: and now I should like to see how many men there are on this floor who are afraid to handle a contumacious Presbytery without gloves, and without a pound of butter in each hand.

Mr. R. Breckinridge. It is obvious to me, and must be to all, that in this thing we are to fight against time, as well as against supposed friends. I hope we shall be aware of this, and that the Synod will proceed with the business before it.

Mr. M'Calla. It is plain that this measure is intended to introduce Mr. Barnes' case without a lawful introduction. Our worst enemies could not have recommended a course more injurious. We read that the children of Israel were once commanded to make brick, and that to aggravate their hardships, their cruel task-masters would not allow them straw. And now it seems that we of this Synod are to be

sent down into Egypt, and treated much in the same way. We are to go at Mr. Barnes' case without the necessary preliminary measures: and then we are to get ourselves kicked out of the Assembly. And as to condemning this Presbytery without their being heard, were they not invited to come in their proper place, and in the proper way? We opened the door, if they chose to walk in. I suppose it is not necessary to set a chair for them, while the whole Synod shall stand waiting, cap in hand. No, sir; they have refused the jurisdiction of this Synod, and the Synod can do its duty without them. When the time assigned by the constitution shall arrive, then let them be heard, and not before. I am opposed to the commitment. A man who has lived through so many sessions and Presbyteries and Assemblies as many of us have, must know that if we will do our duty without the fear of man, there is a portion of our companions whom we must be willing to part with as soon as matters approach a crisis. It will always be so: it is human nature, at least it is the nature of some men. And, rely upon it, as soon as you approach the enemy near enough to see the whites of their eyes, you will always find these men very glad to jump behind a log.

Mr. Adair. Moderator, this paper, which some of the brethren want us to swallow entire, is altogether too hot, and too high seasoned for our palates. I hope we shall have something in its place from the older members of this body, which shall be marked with more temper and moderation. Like a brother who lately addressed you, I also am very sorry that that Presbytery have acted as they have done. I wish to come at the cause of Mr. Barnes; because I earnestly desire that those who have received impressions injurious to him may have an opportunity to get these impressions corrected. His own cause requires this: and all those who profess to be his friends, instead of shunning, should earnestly demand an instant investigation. I have used my personal influence to the utmost to prevail with the Presbytery to adopt a different course, but I regret to say that it has been in vain. I believe that, in strictness, they certainly have a legal right to take the ground they have assumed; but I am just as fully persuaded that by assuming it they have prejudiced and injured their own cause.

The question was now put on Dr. M'Dowell's motion to commit: and it was negatived by a great majority.

The question then recurring on the adoption of the clause above stated,

Mr. Gilbert said that he greatly doubted the fact which the clause affirmed, viz. that either the members of the second Presbytery, or the Presbytery as

a body, prevented this case from going up to the Assembly.

Dr. M'Dowell. I wish to know whether such is the fact. If it be so, let the fact now be stated.

Mr. Steele. I stated it to be a fact.

Mr. Barnes. I wish the paper which the Presbytery handed in on this subject to be read.

Mr. R. Breckinridge. The paper denies it, only in respect to the Presbytery as such.

Moderator. If the discussion proceeds, there must be a motion, either to adopt or to amend.

Mr. Steele here read a paper presented by the Moderator of the second Presbytery (who was forbidden by the rules of proceeding to speak in his own person.) It declared, in substance, that he, as an individual, had not been opposed to permitting the case to go to the Assembly, but had desired, if it did go there, that the Synod should not be deprived of its vote: and that this opinion he had declared in the Presbytery, but not officially, as its Moderator.

Mr. R. Breckinridge. This reminds me of the case of a German Prince, who was also a bishop, and who, on receiving a blow remonstrated with horror: "What? do you dare to strike the Lord's anointed?" to whom his adversary replied, "I do not strike you as bishop, I strike you as Prince." So Mr. Grant being then Moderator of the Presbytery, and in the chair, made this declaration as Mr. Grant, but not as Moderator!

Mr. Pickands. I move you that this clause of the preamble be stricken out; and as it is due to the dignity of the house not to offer a motion without giving some reasons in support of it, I will offer a few words by way of explanation. I do not conceive that the statement in this clause is at all necessary to the strength of the representation. The document does not profess to state that this act was done by the Presbytery, but only by certain members of the Presbytery. It is stated as the act of the members in their private capacity; but as members they are not here allowed to deny it: they shake their heads but must not speak. In the meanwhile we have no evidence to prove the assertion. The statement by Mr. Steele does not show it. Mr. Steele, indeed, tells you that the Moderator assented, but that there was no Presbyterial action in regard to the matter, and that though the Moderator's opinion did seem for a time, generally to prevail, yet that afterwards there were some of the members who objected, and expressed an opposite opinion. And would it not be a marvellous thing if such a man as Dr. Junkin had been *hindered*, by an expression of the Moderator's opinion, from taking his appeal to a court which was regularly open to him? I repeat, that we have not one particle of

evidence that the members of that Presbytery, as individuals, or that the Presbytery, as a body, ever did hinder Dr. Junkin from carrying his appeal into any judicatory he should think fit: nor did they, so far as appears, throw the smallest bar in his way. I desire the clause stricken out, because it is not historically true, and I am sure that the mover of it never would wish to spread on the minutes of this Synod a statement which is not correct in fact. The clause alleges an aggravation in the offence of the Presbytery of which we have no proof.

The question being put on striking out, it was negatived.

The reading of the paper was then resumed as follows:

"And this at a period when there was and could be no Synod to which he could appeal but this Synod."

Mr. GILBERT. Is that a fact?

Dr. JUNKIN. I asked if I could appeal to the Synod of Delaware, and the members all said "No, you cannot; there is no such synod."

The reading then again proceeded.

"First, Because the Assembly had ordered the dissolution of the Synod of Delaware, before the next stated meeting to which that synod stood adjourned; and there is no provision known to us for any *pro re nata* meeting of any synod."

Dr. MCDOWELL. I think this clause had better be stricken out. The point referred to is not settled; there is no use in such a statement; it will only involve us in difficulties.

Mr. GILBERT. In the nineteenth chapter of our book of Church Government, there is a general provision which admits of the calling of *any* judicatory by the moderator *pro re nata*; and it may apply, for aught that appears, as well to a synod, as to a presbytery.

Dr. CUYLER. If that construction is good, then the clause will apply equally to the moderator of the General Assembly also.

Mr. CAMPBELL. I move you that this portion of the preamble be stricken out. I admit that the construction mentioned by brother Gilbert is construction only; and I should not be very strenuous in insisting upon it: though I do not see but what the rule will apply as fairly in this case as in any other. The constitution does not say "Presbytery," but it says "judicatory": and that term will as well include a synod as a presbytery.

Dr. J. BRECKINRIDGE. I do hope that inasmuch as the first clause is strong enough, that the second will be stricken out. The Synod of Delaware could not meet unless called *pro re nata*; and the letter of the clerk which has been read was evidently written in full view of the fact that the adjourned meeting of that synod would be superceded by a previous meet-

ing of this body. But why should we discuss this, when the other clause is sufficient?

Dr. Cathcart. It is a very doubtful point whether a moderator of this synod can or cannot call a *pro re nata* meeting of synod: and why should we commit ourselves on such a question? It has been sent down to the presbyteries for decision, and they will decide it. As to what brother Cuyler said about the rules including the moderator of an assembly, as much as the moderator of a synod, he overlooks a great and obvious difference between them: the synod is a *permanent* body, the assembly is not. The synod continues, and may be called together if need be; but when the assembly adjourns, it is gone: it is out of existence: there is no assembly to be called, and no moderator to call it.

The question was now put on striking out the clause, and decided in the negative.

The reading of the document then proceeded.

"And secondly, because, even if an appeal had been taken to the Synod of Delaware and a *pro re nata* meeting had been lawfully called, there is great reason to doubt whether according to our constitution that synod could have tried the case while two presbyteries only could sit as judges. The synod having but three, and one of them being excluded, as the court appealed from."

Mr. Wynkoop. I move you that this clause be stricken out.

Mr. Breckinridge. The brother will observe that the clause does not state it as a thing certain, that such a synod could not try the appeal; but only speaks of this as a thing extremely doubtful. The Presbytery which tried the cause must be excluded, of course: there then remains only two presbyteries to decide the case; and, according to our book, two presbyteries do not constitute a synod. The book expressly declares that three presbyteries are requisite to constitute a synod, and that there cannot even be a quorum to do business unless the three presbyteries are represented. It is therefore to my mind infinitely clear that the Synod of Delaware could not have tried the appeal even if it had gone there. Yet, out of deference to an opposite opinion, expressed by some brethren, I have only said "that there is great reason to doubt" on this point. I hope the clause may be retained, because, as far as it goes, it strengthens our reasons for passing censure on the presbytery. I hope this case will be sufficient to show the folly of attempting to draw up a paper which shall gather in the opinions of every individual who may happen to take general views of the same kind.

Mr. Grier. I hope that the clause will not be stricken out. It does appear strange to me that where language has been adopted with the express view to

conciliation, all the brethren who are on one side shall insist on giving it their own construction.

Dr. McDowell. I call the attention of synod to our form of government, chapter 10, section 1st. This section shows how many presbyteries are necessary to constitute a synod; and it does require three presbyteries for that purpose. But then, in the fourth section, it expressly declares that a synod "shall have power to receive and issue appeals." I know that, in the second section there is something said about a quorum: but to make the book consistent with itself, [and that is a sound principle in constructing laws] we must suppose that the presbytery appealed from may constitute a part of the quorum, though not of the court. The book, at all events, does declare that three presbyteries are a synod, and that such synod can issue all appeals. Why, sir, in the early history of our church, the most of our synods were in this situation: they consisted but of three presbsteries; and yet they did try appeals: it must have been by two presbyteries sitting on the act of the third. I hope that the clause will be stricken out. I want the document strengthened, not weakened; and I want it to appear in such a form that the assembly shall not find fault with us.

Dr. Cathcart. Under our old constitution, even if thirty members were present they constituted no quorum unless they came from three different Presbyteries. We had frequently to wait for days together before we could do business; and sometimes we had to break up and go home. The Synod died, and had to be resuscitated again by the General Assembly. The question was even raised in the Assembly whether it was any longer a Synod or not. Our synods had none of them scarcely more than three Presbyteries. Do brethren suppose the Assembly could mean that such a body could not issue an appeal? Do they suppose they were worse than common idiots? Why shall we commit ourselves by staring in the face of the Assembly what they know not to be the fact?

Mr. Musgrave. I am in favor of striking out. A Synod surely, be it smaller or larger, must possess the right of issuing appeals, and if there are but three Presbyteries it is of necessity that two of them may set in judgment upon the acts of the third. And unless you omit a point which is so doubtful, you will embarrass the passage of this paper, and detach from it many who approve of its general principles and who would otherwise vote for it. If you keep this clause, there are some who will be bound in conscience to vote against it. There is no strong necessity for retaining it; and why should we throw difficulties in our own way.

Dr. CUYLER. I concur in the same views which have been expressed by those who oppose this clause. Our Book must be interpreted in consistency with itself, and as this is, to say the least, a very doubtful and disputable position, it will be best to give it up.

Mr. R. BRECKINRIDGE. Well: if that is the general wish, I will not insist.

The question being now put on the motion to strike out, it was carried: and the clause was stricken out accordingly.

The reading of the paper was resumed.

"And whereas this Synod has passed a special order directing said Presbytery to produce the Record necessary in the case on trial:—which order the Presbytery explicitly refuses to obey: now, therefore be it Resolved,

That, in the judgment of this Synod, the conduct of the (Assembly's) Second Presbytery of Philadelphia in all the premises is *obstinate, vexatious, unjust, uncandid, contumacious*, and *grossly disorderly*."

Dr. M'DOWELL. I move you that all of these epithets save the word "disorderly," be stricken out.

Mr. ROB. BRECKINRIDGE. Let us have the question on each word separately.

The question was accordingly put, on each of the above words, *seriatim*, and the motion to strike out was voted down by acclamation. And the paper, thus far, was adopted by a great majority.

The reading was then resumed.

"Resolved, farther, that before the adjournment of this Synod, such other and final order as may seem necessary be taken in this case."

Dr. J. BRECKINRIDGE. Why is any farther order necessary?

Mr. M'KINLEY. I see no need of any thing further.

Dr. J. BRECKINRIDGE. It may not be necessary to do more, and why then pledge ourselves to do more? I hope it will not be pressed.

Mr. R. BRECKINRIDGE. I consent to withdraw it.

The clause was accordingly withdrawn.

The second paragraph of the paper was then read.

"And whereas the (Assembly's) Second Presbytery of Philadelphia has suppressed the record in the case in which Dr. Junkin has appealed to the Synod from the decision of the Presbytery in the case of Mr. Barnes: and whereas, this Synod has used, without success, such means as seemed proper to obtain possession of said records, as proof in the case: and whereas, it is known to Synod that true copies of all the proceedings and proof in the case are from other sources accessible to it:"—

Mr. R. BRECKINRIDGE. I do not know this personally: but I believe we have proof that such is the case.

Mr. STEELE. There is present a true copy of the judgment given by the Presbytery, duly certified: and a copy of all the testimony adduced by Dr. Jun-

kin before the Presbytery is also here; but not of all the proceedings.

Dr. JUNKIN. I have a copy of the sentence, duly certified: and a copy of the testimony, being the very same identical paper which I used before the Presbytery. This I can prove by parole evidence.

Mr. R. BRECKINRIDGE. I have altered the phraseology so as to include only the sentence and the evidence.

The reading again proceeded:

"And whereas the original parties have been asked, and have declared their readiness for trial: and it does not appear to Synod that the cause of the appellee would be prejudiced by the conduct of said Presbytery in suppressing the records, as stated above, contrary to the order of Synod, and the wish of the appellant:"

Mr. MUSGRAVE. I would ask whether Mr. Barnes is *now* ready for trial, after his Presbytery have refused to furnish these documents?

Mr. R. BRECKINRIDGE. The clause goes on his own admission.

"And whereas the cause of truth, and the glory of God, do, in the judgment of this Synod, require it to make still farther efforts to issue this case: therefore

Resolved, *That Synod will now proceed* TO HEAR AND DISPOSE OF THE APPEAL *now pending.*

The question being put on the adoption of these several clauses, and then of the whole paper, as amended, it was carried. So the preamble and resolutions were adopted.

MODERATOR. The Synod having resolved to issue the appeal, it remains that we now proceed in the several steps of the proceeding according to the directions of the Book of Discipline; which I will now read.

Chap. 7. sec. 3. sub. sec. 8. In taking up an appeal, after ascertaining that the appellant on his part, has conducted it regularly, the *first* step shall be to read the sentence appealed from: *secondly*, to read the reasons which were assigned by the appellant for his appeal, and which are on record: *thirdly*, to read the whole record of the proceedings of the inferior judicatory in the case, including all the testimony, and the reasons of their decision: *fourthly*, to hear the original parties: *fifthly*, to hear any of the members of the inferior judicatory, in explanation of the grounds of their decision, or of their dissent from it.

The first step is, to read the sentence appealed from. That sentence will now be read: and, during the reading, I hope that the utmost order, silence, and attention will be observed.

Mr. MCCALLA. Before we proceed, I move you that one of the members engage in prayer for the Divine direction and aid. It was agreed to.

The Moderator then called upon Dr. Cuyler, who made solemn prayer to God.

The sentence of the Presbytery was then read.

Synod then took a recess until 7 o'clock.

Synod having met after recess, the Moderator said that the next step would be to hear the reasons of the appellant for his appeal, as the same were on record.

The reasons of appeal were thereupon read.

MODERATOR. The third step is to read the whole of the proceedings and the testimony, including the reasons of the decision as set forth by the Presbytery.

Mr. R. BRECKENRIDGE. I move that the Clerk enter upon the minutes of Synod the reason why the "whole proceedings" were not read. This was agreed to; and the following minute, being drawn up by Mr. R. Breckinridge, was adopted, viz.

"That the *whole proceedings* of the court below, which ought orderly to be now read, are not read, for the reason, that the Second Presbytery of Philadelphia, in defiance of the order of Synod, without objection by the appellee, has refused to produce the record."

said, that this minute was necessary, because advantage might hereafter be taken to say that the appellee objected to the doings of his Presbytery in withholding the records: and therefore the Synod should be certain whether he does object or not.

Mr. BARNES. That much states the historical fact. have two or three letters which I intend to read. One is my letter to the Presbytery. It forms a part of what should have come from the Presbytery as the history of the proceedings. I intend to read it as such. Is this the proper time?

tery? Was the letter read in the Presby-

That is a question which I think I should not answer. I think that it ought to be answered either by the Presbytery or by Mr. Barnes.

Mr. BARNES. I cannot tell, until I hear the letter read. I cannot certify to the paper, as I am neither Moderator nor Clerk of the Presbytery.

The letter of which I have here the copy, is the original letter addressed by me to the Presbytery, stating the charges I intended to bring against Mr. Barnes.

Mr. MORSS. We must first know what we are going to prove, and then march up to the point at once. I do not, myself, yet know whether Mr. Barnes is on trial before us, or whether it is the Presbytery we are to try. I want clearly to understand what is the business we have to do.

MODERATOR. Synod is issuing an appeal.

Mr. MORSS. Does the appeal refer to a decision of the Presbytery? and are we trying them? or are we trying Mr. Barnes?

Mr. PICKANDS. Brother Morss is one of the judges here, and has a right to know.

The business before the Synod is to take up an appeal and issue it.

Mr. McCalla. Brethren should withhold such questions. We know our A. B. C.

Does this minute mean that Mr. Barnes did not object to the presbytery's withholding the documents.

Mr. R. Breckinridge. That is the meaning, and the whole meaning.

Mr. Carothers. As one of the judges in this case I object to the principle of that minute. I am not very conversant in the modes of proceeding in ecclesiastical courts: but this involves a great principle, in respect to which my understanding is directly at variance with this minute. We are here calling in a party to say that he will not in future object to the record on which we are proceeding. I never will consent to put the trial on any such grounds. It is utterly contrary to all correct principles. That an accused party shall be called upon to admit the correctness of our record, or else he must give up his constitutional right of hereafter objecting to the mode in which his trial has been conducted. I admit that in civil suits, pleas may be put in which admit, by implication, the regularity of all prior proceedings. But in a criminal process we are to proceed as in a court of criminal jurisdiction: and it is highly improper for the court to make a record, and then to attempt to establish its correctness by calling on the accused to admit or deny it: you have no right to call upon him to admit or deny any thing in the matter, but simply to say whether he is guilty or not guilty. He is entitled to object to every thing that is objectionable in the mode of conducting his trial. It is his constitutional right. But that minute assumes a fact from the silence of the accused. To this I object.

[From the distance position of Mr. Carothers, he was but imperfectly heard by the Reporter.]

Mr. R. Breckinridge. If the fact were as that brother supposes it to be, his argument would be unanswerable. But it is not so. We certainly have the right to make a record of the fact of what the accused does. We are not calling upon him either to admit or to deny anything. It was incumbent on us to state the attitude Mr. Barnes holds in regard to the contested evidence withheld by the Presbytery. He is a member of that Presbytery, and a party in in this trial. He stood silently by, and saw his Presbytery contumaciously suppress the proof necessary to the trial; when, had he but expressed such a wish, the testimony would have been produced. We are now going on the next best testimony within our reach: and he may object to this, because the records of the Presbytery are the best evidence in the case to

guard against this, we now enter the fact upon our record that he did not object to the suppression of those records by his Presbytery. If Mr. Barnes will say that he objects to it, or that he attempted to prevent it, I will erase it in a moment. God forbid, I should enter upon record what is not true. I desire to use, in this case, the utmost gentleness and candor.

Mr. CAMPBELL. Make an epitome of this argument, and see how it looks. If Mr. Barnes does not say that his Presbytery did wrong, we will go on to violate the Constitution, by trying him without that proof which the Constitution requires. Such an argument sounds strange:—and from such a quarter. The Constitution requires that the whole proceedings below, with all the evidence, shall be read before we proceed. Hear it.

[See the extract from Book of Discipline quoted just above.]

Mr. R. BRECKINRIDGE. The only reason I have not shewed why we proceed without this, is, that the Synod have not resolved that they will proceed without it.

Mr. CAMPBELL. Then it seems we may violate the Constitution provided Mr. Barnes will not blame the doings of his Presbytery. He must take sides, it appears, against his brethren; then we will not proceed: but if he will not do this, then it is a good reason why we shall go on! Can any thing on earth be more supremely ridiculous?

Mr. MUSGRAVE. Cannot we divide the question? Is it not enough to say what precedes this, without saying a word about Mr. Barnes? I move to strike out that part.

Mr. GIBSON. Mr. Barnes did admit that the minute contained a true record of the historical fact.

Mr. BARNES. The Synod has a right to make any record on its minutes which it pleases. I shall not contest that right: nor have I objected to the minute proposed. You have not called upon me to do so: nor could you lawfully do so: and the Synod I believe so understood the matter. And so far as Synod know, that may be the reason why I did not object. But will it not appear that the Synod felt embarrassed and wished to bring me in, in the unhappy relation in which I stand; in contrariety to all delicacy?

Mr. R. BRECKINRIDGE. I am willing to go on and state all that is true. I think the clause should not be stricken out. Mr. Barnes stands here in a double attitude; he is both a party, and a Presbyter. And though we have no right to ask him whether he objects to the doings of his Presbytery or not, we have a right to state facts, to fortify the correctness of our course, before a future tribunal, which is to pass judgment upon it.

Dr. GREEN. I hope the clause will not be stricken out. We have, I think, sufficient indications to warn us to be on our guard against every exception which it shall be possible to take. Rely upon it, every exception that can be taken will be taken in the higher court. Now as this is the mere statement of an historical truth, and as it may meet an exception, I hope it will not be stricken out.

Mr. GILBERT. Does the minute relate to the past only? or also to the future? As to the past, it states what is true; but not what may be true in future.

Mr. BARNES. If you will add that the Synod did not ask me whether I objected or no, the minute will then state the whole truth.

Dr. M'DOWELL. Would it not be better to waive all this, till we see what evidence we have?

Mr. R. BRECKINRIDGE. The moderator stated that this was the proper place.

Mr. MUSGRAVE. Is it not enough that no objection appears? This leaves the case just as it ought to be. It leaves it entirely open. It places us on equal terms with Mr. Barnes before the Assembly. If he objects there, we can say, why did you not object in the court below? Then both will stand upon an equality. But if we shall now attempt to take the advantage of him by saying that he made no objection to the acts of his Presbytery, when he was not in circumstances to say either yea or nay, we shall not appear well before those who are to judge us. As judges we had better omit what may appear like a wish to take advantage of the situation of the accused.

Mr. R. BRECKINRIDGE. I think not. There is a brother, who is a lawyer of distinction (Mr. Carothers) thinks it important that this should be stricken out; but I say that it is important it should be kept in.

Mr. CAROTHERS. I do not take either side in the matter. I am not an advocate or a party, but a Judge.

Mr. R. BRECKINRIDGE. I am not a party either, but am a Judge too: yet my understanding is not a mere *tabula rasa;* I have an opinion. He admits that if the clause is put in, it will prejudice one side. I say that if it is left out it will injure the other. I consider it very important that it should be retained: it may influence the whole decision. Mr. Barnes is not required to say anything. He stands nakedly before us with a verdict in his face: but he also stands here as a Presbyter: and it is proper that our record should shew that as a Presbyter he did not object to the withholding of these records.

Mr. M'CALLA. There are two parties in this matter. Mr. Barnes has spoken what is condemnatory of the Synod; and the Synod have done the same with respect to him.

Mr. BARNES. I do not know when I have so spoken. I should be glad to hear when it was.

Mr. M'CALLA. Then I am mistaken. But did not Mr. Barnes say that to enter such a record would be to do an act of injustice to him?

MODERATOR. No: he said it would be recording what was historical truth.

Mr. M'CALLA. Well: I will leave off stating what Mr. Barnes said till I can *hear* better. It is obvious that there are two different and opposite objects desired in this house. There is a portion of the members of this Synod who wish that this prosecution may be dropped; or that if it is not, it may fail. And there is another and a larger portion who desire that we should go on to issue this appeal. Now here is a document brought before us which may be instrumental in issuing it, shall we reject it, or adopt it?

Now supposing a vessel was bound for a certain port, and fitting out for her voyage: a portion of her owners are opposed to the voyage, and had rather the vessel went to the bottom of the ocean, than to her destined haven. These men, if, while the ship is fitting for sea, they can take out of her some bolt or fastening, or screw, or plank, and thus cause her to leak and to founder, will take pains to do it. I have so often seen a course like this that I am used to it. But another part of her owners are determined she shall make the voyage, and these will insist that every bolt, and knee, and plank, and screw, and fastening of every kind, that may secure her safety, shall be supplied in a proper manner. And if any part of her tackel, apparel or furni'ure has been stolen away and secreted, they will do what in them lies to get it back or to replace it. For myself I had rather go to the bottom among the sharks, than have on me the guilt of purloining so much as a marlingspike belonging to the good ship. Why, I ask should we omit this paragraph, if it will, or may, do anything toward conducting the Synod to the end we have in view? Mr. Barnes does not say that it states what is untrue, or that it is unjust to state it:—yet we are urged to drop it. We are to be kinder to Mr. Barnes than Mr. Barnes is to himself. Let us not forget that a British officer has said that the losing of a single screw caused the defeat at New Orleans. And are we going to give up any of the fastenings of our ship? I trust not.

Dr. CATHCART. I thought we were sitting here as judges, and not p'eading the cause. Let us first have all the evidence before us, and we can listen to the pleadings afterward.

Dr. J. BRECKINRIDGE. It is certainly very important that in this case (a case for our conducting of which we are to give an account on earth as well as

in heaven,) every one should be satisfied, if possible. A portion of very important evidence is withheld from the Synod. Mr. Barnes is standing in very peculiar circumstances, as interested in the absent evidence: and so is Dr. Junkin: and so is the Synod.

[Dr. Junkin, interposing. *All* the evidence is here, and can be proved to be the original testimony produced and read before the Presbytery.]

That may be very true: yet we have not the official evidence, as such, from the Presbytery. And though we may have what some may deem an equivalent, yet if we could get the evidence through the regular channels, it would certainly be far better. There then could be no possible ground of complaint. I make this remark because brother Campbell seems to impeach the propriety of our course in proceeding to trial without the evidence which is withheld. Here we are in a dilemma, we are waterlogged on either hand. If we listen to the arguments of brethren it will be impossible for the Synod to go on: we must either refer the case, or let it die. Now, in the absence of the regular documentary evidence, even supposing that Dr. Junkin can get that which, in fact, is equally good, yet we want to put matters in such a position that we may be able to shew that we have done every thing justly, and that all the injustice in the case lies with the Presbytery. One of the facts in the case is, that Mr. Barnes did not object to the absence of the documents. It may be said by some that had they been produced, the effect would have been in his favor:—if so, why did he not call for them? But, by his silence, he says, in effect, that he does not complain of the absence of the official evidence in his trial. I am astonished that a lawyer should say that making such a record is taking an advantage of the accused, where it simply states a fact in the history of the proceedings of this Body. Supposing it to be a piece of true history, because we wish to do justice with delicacy and with kindness, we wish the history of the step in our proceedings to be correctly and faithfully recorded. When Mr. Eustace had been called upon and had explained, and when Mr. Duffield and he wished afterward to speak, we arrested their statements. This I regretted: and I still regret it, because I think they might have been better satisfied had they been permitted to proceed. Yet if brother Barnes will show how the entering up of such a record will injure him, I may be induced to examine the question again.

Mr. Landis. Does not Mr. Breckinridge by this minute intend to prevent Mr. Barnes from objecting to the absence of this evidence hereafter?

Mr. R. Breckinridge. My object is to prevent hereafter an unfair advantage from being taken of the Synod.

Mr. BARNES. I do not, by my silence, intend to admit the regularity of the proceedings of the Synod. The time is not yet come for me to object: and in the meanwhile I hope no such construction will be put upon my silence.

The question being now taken on striking out the minute as drawn up by Mr. R. Breckinridge, it was lost.

The question then recurring on its adoption, Dr. M'Dowell enquired whether the Synod was not making an uncorrect statement when they said that they had the proceedings in the case?

Mr. R. BRECKINRIDGE. That was modified.

The minute was then adopted.

MODERATOR. Synod will now proceed to hear such evidence as it has before it.

Dr. CUYLER. The testimony should be verified as far as possible before it is read.

Mr. Gilbert then read from the 4th chapter of the Book of Discipline, 23d section, last sub section, the following:—

Chap. IV. Sec. 23. "In recording the proceedings, in cases of judicial process, the reasons for all decisions, except in questions of order, shall be recorded at length: that the record may exhibit every thing which had an influence on the judgment of the court. *And nothing but what is contained in the record may be taken into consideration* in reviewing the proceedings in a superior court."

Is not this something beside "the proceedings?" And how is it to be verified?

Mr. R. BRECKINRIDGE. Will the member read also the reasons given in the final section.

Mr. GILBERT. The section declares that nothing shall be adduced in the court above "but what is contained in the record" of the court below. Is the evidence, attempted now to be introduced, "contained in the record" of the Presbytery? How can we tell, unless we have the record, or a certified copy of it.

Mr. R. BRECKINRIDGE. We have proof *aliunde* that this evidence *is* contained in the record, and would be found there if we had the record. What we want is, that the Prosecutor should prove, in the best way he can, that this is a part of the Presbyterial Record. Of course we are not going to allow either Mr. Barnes or the Presbytery to take advantage of their own wrong: and we may take a less degree of evidence than the Clerk's signature to prove that this is a part of the record. The question is, what is the record?—We cannot get the Clerk's seal, because he has surreptitiously withheld it, by order of his Presbytery.

Mr. GILBERT. The question is, what are we to receive as authentic testimony to prove the record of a judicatory? and on that subject we have our rule, in

the 29th chapter of the Form of Church Government. There the signature of the Moderator or Clerk is required.

"It shall be the duty of the Clerk besides recording the transactions, to preserve the records carefully: and to grant extracts from them whenever properly required: *and such extracts*, UNDER THE HAND OF THE CLERK, shall be considered as *authentic vouchers*, of the fact which they declare, in any ecclesiastical judicatory, and to every part of the church."

MODERATOR. Can we decide that this evidence is not authentic?

Mr. GILBERT. I want to know how it is proved to be authentic The Constitution says that nothing shall be read here but what is a part of the record below. And how are we to know that this is so but by the signature of the Clerk? The book says that this is the manner in which documents are to be authenticated. In the 6th chapter of the Book of Discipline, it is required that the documents produced shall be "regularly authenticated by the signature of the Moderator or Clerk." There is no provision for the reception of any other. And I here in my place, as one of the judges of this court, object to hearing any other.

MODERATOR. I do not say what these papers are, or how they are authenticated.

Mr. GILBERT. Is it not admitted that they are not a part of the record? If you are going to have anything read which is not a part of the record, I object to it.

Mr. WINCHESTER. Will the Moderator direct his attention to the 23d section of the 4th Chapter. This that he has quoted does not speak about appeals, but only of revision, and control. If we were proceeding by way of revision and control, then indeed it would be true that we could only hear what is actually a part of the Record.

MODERATOR. This whole discussion is out of order.

Mr. GILBERT. What? When a paper is offered to us in a court of criminal jurisdiction, to be read in the trial of an accused party, are we not to enquire how the paper is authenticated?

MODERATOR. Certainly; when the paper is offered: but this has not been offered yet.

Mr. HAMNER. We have already resolved to proceed with this trial without the identical records of the Presbytery: and is it not a mere trifling with our time thus to throw obstacles in the way to hinder the body from doing what it has determined to do? Is not this the time to receive proof respecting this testimony now offered? Can we not now qualify the witnesses and then hear them?

Dr. GREEN. The whole of Mr. Gilbert's speech

has been directed against that which has already been decided on by the Synod. We have already determined that, as the records are withheld from us, we will proceed without them. Synod, I trust, are not to be turned aside from their purpose.

Mr. BLYTHE. If the Book intended that we should never in any case receive any documents not authenticated by the signature of the Moderator or Clerk of a judicatory Mr. Gilbert would be correct. But if he will look at the 5th sub-section of the 1st section of the 7th Chapter of the Book of Discipline under the head of "review and control" he will find the following:

"Judicatories may sometimes entirely neglect to perform their duty: by which heretical opinions, or corrupt practices, may be allowed to gain ground; or offenders of a very gross character may be suffered to escape: or some circumstances in their proceedings of very great irregularity, may not be distinctly recorded by them. In any of which cases, their records will by no means exhibit to the judicatory a full view of their proceedings. If therefore the superior judicatory be well advised, by *common fame*, that such neglects or irregularities have occurred on the part of the inferior judicatory, it is incumbent on them to take cognizance of the same; and to examine, deliberately, and judge in the whole matter, as completely as if it had been recorded, and thus brought up by the review of the records."

Here is a distinct provision for the hearing of other testimony than the records of the lower court. I admit that were there no such provision as this, his objection would be well founded.

Mr. GILBERT. I know there is such a passage: but it does not refer to cases of appeal and complaint, but only to cases of proceedings by review and control.

MODERATOR. The Moderator ordains that the Clerk do now read the documents.

Mr. GILBERT. What? before they are authenticated?

MODERATOR. Yes.

Mr. BARNES. I wish the decision of the Moderator may be recorded.

MODERATOR. The papers purporting to be copies of the evidence may now be presented.

Mr. GILBERT. If the Moderator decides that these papers are to be read without being authenticated, I take an appeal from the decision.

Dr. JUNKIN. I have oral proof by which they may be authenticated.

Mr. R. BRECKINRIDGE. Let the proof be given.

Dr. JUNKIN. The paper I now hold in my hand is the original letter sent by me to the Presbytery requesting them to receive my charges against Mr. Barnes. Mr. Steele saw it before it was sent, and was good enough to present it for me, to the Presbytery.

Dr. McDowell. Let this be certified on paper.

Dr. Junkin. My witnesses to authenticate the paper as the same presented to Presbytery are, Mr. Steele Dr. Ely, and Mr. Patterson.

Dr. Ely. That is not the original letter.

Mr. Patterson. I could not, for my life, testify to this paper. I do not even know whether I heard it read, or not.

Mr. R. Breckinridge. Let it be read then, and see if they will not then testify.

Mr. Hamner. Can any paper be received and read here until it has been authenticated?

Moderator. It is in order to introduce papers and then to authenticate them. The Moderator feels that this is a case of peculiar difficulty. The proper papers are suppressed. The Synod will judge whether the authentication of these documents, is or is not sufficient.

Dr. Culyer. I move that Mr. Steele be put upon his oath.

The Rev. Robert Steele was now sworn.

Question by the Moderator. Have you read this paper?

Mr. Steele. I have.

Moderator. According to the best of your knowledge, is this an exact copy of a paper presented by you to the 2d Presbytery of Philadelphia.

Mr. Steele. I believe it to be a true and exact copy of the paper presented through my hands to the (Assembly's) 2d Presbytery of Philadelphia.

Dr. McDowell. Is not Mr. Barnes to interrogate the witness if he wishes it?

Moderator. Yes. Any member of the judicatory may ask him questions.

Mr. De Witt. When did you read this paper?

Mr. Steele. I have read it at various times.

Mr. De Witt. How long is it since you last read it?

Mr. Steele. Since I came into the house this evening.

Mr. R. Breckinridge. I hope it will be recorded that Mr. Barnes was allowed to ask any questions he thought proper. Ordered that it be so recorded.

Mr. Gilbert. Which letter was it that passed through your hands, the first or the second? I understand that one was sent and afterwards withdrawn.

Mr. Steele. I have no recollection of being the instrument of presenting more than one letter containing charges. I received it by mail, and gave it into the hands of the former moderator of the Presbytery,—Mr. Scott I believe, but do not distinctly remember whether it was he or not. The letter was

directed to the Second Presbytery of Philadelphia, and sent under cover to me. This was done to save Dr. Junkin the time and trouble of a journey to the city. On what precise day I delivered it I do not recollect. The record will show.

Mr. GILBERT. Was this the first, or the second letter? His answer, however, shows it was the first.

Mr. R. BRECKINRIDGE. I hope we shall have no trap. It does not appear in evidence that there were two letters sent. When was the letter presented?

Mr. STEELE. I cannot tell, without referring to private letters which I have at home.

Dr. JUNKIN. I can show that, from the certificate of the Clerk of Presbytery.

Mr. CAMPBELL. Do you know that this is the letter, which contains the identical charges on which the Presbytery acted?

Mr. STEELE. I believe it to be the same letter.

Mr. R. BRECKINRIDGE. I move you the following Resolution:

Resolved, That the letter be now read, it being in the judgment of Synod the same as a part of the record of the Presbytery.

Dr. JUNKIN. I received a letter from the Clerk of the Presbytery which refers to this same letter. [This letter was then read.]

Mr. HAMNER. (To Mr. Steele) Did you read the letter (the letter of Dr. Junkin to the 2d Presbytery) before you handed it in to the Presbytery?

Mr. STEELE. Yes: I did.

Mr. R. BRECKINRIDGE. Let it be put on the files of the Synod and entered in the minutes. I move you that it be read, as sufficiently authenticated.

Mr. HAMNER. It was said by Dr. Junkin that he had more witnesses than one. Ought the others not now to be examined? That out of the mouths of two or more witnesses every word may be established?

MODERATOR. The oath of a brother in the Ministry is as strong proof as the certificate of the Clerk of a Judicatory.

Mr. CAMPBELL. In the 6th section of the 6th Chapter of our Book of Discipline, it is declared as follows:—"The testimony of more than one witness is necessary in order to establish any charge."

The question was now put, and it was resolved that the Letter of Dr. Junkin to the Presbytery shall be read.

Mr. BARNES. As the decision of the synod is very important to my interests, I may be reluctantly compelled to take up a few moments of your time in offering some things in reference to it. I have in my hand a paper which I wish to present to the synod:

but before doing so, there are a few observations which I would offer by way of preface, supposing that this is the proper place to introduce them. I have been waiting with confidence for the arrival of the precise point of time in which it will be proper to lay in my plea, and I presume that the time has now arrived.

When asked by the moderator whether I was ready for trial, I stated that I had made all the preparation which my time would admit, and that so far as I was personally concerned, I was ready. It will be remembered that I was guarded in my expressions: and I was entirely sincere in them. It must, however, be manifest that when professing myself ready for trial, I meant a trial conducted in the constitutional way: but it is the privilege of an accused party to enter his protest at any stage of the proceedings. This business came to my knowledge in March last: and it was then understood that it was to go up in the May following to the General Assembly at Pittsburgh. The question with me was whether I should consent to its going there at that time, or whether it would not be better to let the thing pursue its regular course. It was very doubtful whether there would then be sufficient time for me to prepare for what must necessarily affect so vitally my individual character, the congregation to which I minister, and the cause of truth in general. The presbytery decided that the case should be postponed until its meeting in June: and at that time it came up in a regular way. The most entire cordiality prevailed between Dr. Junkin and myself, from the beginning of the trial to the end of it. The proceeding occupied four or five days. The documents read and the speeches made were both of great length. When it was finished, I hoped that the whole matter might rest there. The presbytery acquitted me, honorably: and I, of course, had no intention to appeal. But the question occurred to my mind whether there were not some expressions in my little work on the Romans, which gave unnecessary offence to the fathers of the church, and which might be, and ought to be corrected. But, as it might be said, if I made these corrections, that I had been driven to do so by fear of the trial, and as, besides, the trial itself would direct me with more certainty to the parts of the book which were most objected to, I concluded not to make them until after the trial should have been over. Accordingly, I sat down, immediately after, and made a number of corrections, where the language was in itself ambiguous, and had been greatly misunderstood. Some of these expressions, however, had given offence as not being in strict accordance with the Confession of Faith: and one, in particular, in which I was understood as

denying that we sinned in Adam and fell with him in his first transgression. I have altered many of these passages in the stereotypes, from which a fourth edition of the book will shortly be printed. I procured from the publishers, proof sheets of those parts of the work, and brought them with me to this place, not doubting that the whole book would come up for examination in the course of the trial. I was desirous the book should go before so large a synod for examination, because I had a secret hope that I should be able to satisfy my fathers and brethren; that if in any unguarded expressions I had unconsciously presented a meaning different from what I had meant to express, I was not disposed tenaciously to insist upon retaining them. And I do now believe that if this trial had proceeded in a regular manner, I could have been content to let the matter die here: for I had formed the purpose not to appeal from your decision, unless a course should have been pursued which I deemed unjust in itself and injurious to me. When I came to this place it was in the full expectation that the cause would come on. I had not heard any thing of a purpose to arrest its progress by withholding the presbyterial documents. Such a thing had never been intimated to me, nor had I once thought of it. Yet I do not say that were the case that of another, and not my own, I should not have gone with my presbytery. I have no doubt whatever, that they are perfectly conscientious in what they have done. But it was a matter in which I took no part. I neither advocated the measure, nor did I vote on either side. My brethren have acted according to their view of the case, and have acted conscientiously. It is highly probable that, had I been similarly situated, I should have done the same. The question I have now to decide is whether justice can be done to this whole business by my standing here and making my defence in a way that appears to me altogether illegal and against the constitution of our church? Is it proper that I should proceed and go over all the documents connected with the trial, when an essential feature in the process is wanting, and must so appear, to any court in the world? I am not afraid of a trial. I have been always willing to be tried, either before the General Assembly, or before any presbytery you can form in the city of Philadelphia. If you order the matter to be taken up *de novo*, I will explain every thing fully and honestly, with a deep sense of my responsibility as a presbyterian minister. I have no thought of disclaiming that responsibility. I say, here, that at my ordination I received the Confession of Faith and Form of Church Government as my rule, and to continue to be my rule, so long as I continue to be a presbyterian. I am willing to submit to

the judgment of my co-presbyters: and no man can lay his finger on a single point of time during all the struggles of the last five years when I called in question the right of synod or presbytery to try me or my writings in a proper and a regular manner. But in this case the records are not in the House, and the constitution is explicit in requiring them to be produced and read. Its language is, "In taking up an appeal, after ascertaining that the appellant on his part has conducted it regularly, the *first* step shall be to read the sentence appealed from: secondly to read the reasons which were assigned by the appellant for his appeal, and which are on record: *thirdly to read* THE WHOLE RECORD *of the proceedings of the inferior judicatory* in the case, including all the testimony, and the reasons of their decision." Yet the synod has decided to proceed in the trial without this record. But, supposing the first step should be wanting, and the synod had no copy of the sentence appealed from, could the trial proceed? Or suppose the second step is in like manner deficient, would it be right to proceed? And can it be right to adjudicate on a question involving the character, opinions, and ecclesiastical standing, the rank and influence, and usefulness of a christian minister, without the record of the proceedings in the court appealed from, when the voice of the whole Presbyterian church has said that that record shall be present and shall be read and considered? As to what authentic records are none can doubt. The constitution has said that they must be records certified by the moderator or clerk of the judicatory whose records they are. There is not the slightest hint about a record's being authenticated by oral testimony. The idea is wholly new. There is no authority which will allow a court to take one half of a record, or less, and decide upon that as if they had the whole, and on such grounds to jeopard the happiness, and character, the peace and usefulness of a brother in the ministry. I therefore presume that the records of the court below form a material link in the chain of orderly proceeding, and are not to be dispensed with. You say that by their absence the cause of the appellee will not be jeoparded; but is this presumed? or is it not rather in all cases to be presumed that the records of the court below are material to his cause? I believe such of my fathers here present as have studied the laws of the land will all agree that no cause can be taken up by appeal in any court on earth, where the record of the trial in the court below is wanting.

These views operate with force on my mind. I earnestly desire to speak to my fathers and brethren in my own defence. I prepared myself, as well as I could, to do so: and I have exhausted my strength in

doing it; but in the existing state of things I cannot consent that the trial should go forward. I consider it as due to myself and to the cause of truth to object to it. And should the cause proceed notwithstanding, I shall present the whole case to the General Assembly by an appeal. I know you have the power to go on and issue the appeal. I do not doubt your authority. I have never spoken in your presence a disrespectful word, nor shall I ever speak one. I earnestly desire an end to these long protracted difficulties.

The alterations I have made in my book are contained in this volume. Whether they may influence the synod to adopt a different course is not for me to say: but all that a man can do, when he finds that the expressions he has used are ambiguous, is to make them plainer. I do not say that I have abandoned any of my sentiments. But I wish now to present to synod this paper.

Here Mr. Barnes laid the following on the table of synod.

"When I was asked by the moderator of the synod this morning, whether I was prepared for trial, I stated that before and since the trial before the presbytery, I had made all the preparations which my time would permit, and that so far as I am personally concerned, I was prepared for trial. I will say that in the same sense—I am now ready. I did not, however, intend that I was ready to submit to an unconstitutional trial. In the present state of affairs, I feel bound to inform the synod, that if an attested record of the proceeeings in my case cannot be produced, I must decline all further proceedings before the synod in the case, my presbytery having judged that it is their constitutional right to withhold the record. And the trial, if it proceed, whatever might be the issue, whether in my vindication or condemnation, it must be an unconstitutional one. Book of Discipline, sect. iii. sub. 8. chap. iv. sub. sec. 23. Form of Govt. chap. 22. Such a trial I hereby respectfully decline. I feel however desirous of a constitutional trial of the charges alleged against me, whenever the same can be legally had before the proper tribunal."

Signed ALBERT BARNES.

York, October 30th, 1835.

Mr. R. BRECKINRIDGE. I move you that this paper be received and recorded in our minutes. Agreed to.

Mr. Breckinridge then proceeded. There are three things which we can do in the present contingency. One is to proceed no farther, but refer the case, or let it die. One other thing we can do is to proceed just as if the party accused were present and defending himself. This is provided for in our Book of Discipline. Another course we may adopt is to proceed against the Presbytery for contumacy. This also is laid down in the Book. And there is yet another: we may here, now, on the spot, dissolve the Presbytery, and order them to deliver up their books to the Synod: and if they refuse we may forthwith cut them

off from the Presbyterian church. Sir, I have no idea of being browbeaten by men who act in violation of the constitution of our church, and then plead their own wrong; and that in a degree in which an unconverted man would blush to do.

[Here an elder, in a distant part of the assembly, loudly called Mr. Breckinridge to order, declaring that if such language was permitted he would go out of the house, and wash his hands of the Synod and all its doings: and he accordingly withdrew, under strong excitement. Some confusion was occasioned by this movement. The moderator called to order; and it was some time before the House was sufficiently composed for Mr. B. to proceed.]

I would put on record as you have done that the Presbytery have acted unjustly, uncandidly, and in a manner grossly disorderly, which from my heart and soul I believe,—and I am prepared, now, at once, to cut off the Presbytery. Here are four courses we may adopt. We may dissolve the Presbytery, and if they refuse to give us up their books, we can cut them off: or we may proceed against them for contumacy: or we may drop the whole business. I am ready for either of these courses, if peace and righteousness require it at our hands. I repeat it—I am ready to cut off the Presbytery at once. I renounce them. I disclaim them. I disclaim them, not merely as ministers and as brethren, but I disclaim them as men.

Dr. Junkin. The appellant has some rights here, and I presume that these are chiefly to be regarded I will read the rule laid down in our Book of Discipline, chap. 9, sec. 6.

'Of New Testimony.' "Cases may arise, however, in which the judiciary appealed from, and the appellant, may concur in requesting the superior judicatory to take up and issue the appeal, with the additional light which the new evidence may afford. In this case, and especially if very serious injury is likely to happen, either to the appellant, or to the church, by the delay which a new trial would occasion, the superior judicatory may proceed to hear the new testimony, and to issue the appeal, with the aid of the additional light which that testimony may afford."

The only bearing of this chapter 'on New Testimony' upon the present case is created by the conduct of the Assembly's 2d Presbytery. Their course in withholding the records has rendered it necessary to authenticate these documents. Under these circumstances the plain course for the Synod is to go on and issue the case before it. All the testimony is here. There is none lacking. The whole testimony I adduce is Mr. Barnes' own language: that is all I plead: that is all you want: and this can be read out of his book. When that book is read you have al

the testimony in the case. I cannot see how your proceeding without these records can work the least possible injustice to the party accused. You have his own words: and what more do you need? The next step, therefore, is to show that this is the same paper which was read before the Presbytery. It is literally the same identical piece of paper which I used before the court below.

MODERATOR. It should first be decided whether the paper offered by Mr. Barnes constitutes a bar to our farther proceeding in the case.

Dr. CUYLER. I deeply regret the necessity which induces me to make the motion I am about to offer. There is a proverb among the Spaniards of which I am forcibly reminded by Mr. Barnes' present situation: "Save me from my friends, and I will take care of my enemies." I could have wished that the whole case had taken a different attitude from the beginning. But, notwithstanding these regrets, and whatever our personal feelings may be, we have a duty to perform: and we are not to be arrested or thwarted in rendering righteous judgment in the premises. I move you that the Synod now proceed with the trial.

MODERATOR. There is no need of a motion to that effect, provided the paper put in by Mr. Barnes is not a bar to our farther proceedings.

Mr. M'CALLA. If we adopt the motion that will prove that it is no bar.

Mr. WYNKOOP. The best way for us to pursue is, first to make an extreme effort to obtain the records and testimony from the Presbytery. I move you to suspend the course of the trial for the purpose of taking up and considering the following resolution.

Resolved, That the Assembly's 2d Presbytery be, and the same hereby is dissolved: and that the stated clerk of the same be required forthwith to lay the records of that Presbytery on the table of the Synod.

MODERATOR. Is the motion of Dr. Cuyler seconded? The motion being seconded,

The moderator pronounced the motion to postpone to be in order: and the question being now on postponement,

Dr. CUYLER. I as deeply regret the motion now submitted, as I did the necessity to present my own. I do not yet believe that we are arrived at the extreme point to which that motion refers. I would first try every thing in our power to issue this case on its merits: but I am ready at the proper time to adopt the measure now proposed, should every other course fail us. To adopt it in the present state of the business would throw this assembly into great agitation; or do I believe that we are at present in a state of mind to judge with calmness on the expediency of such a course. I could wish it let alone. I could

wish every thing let alone which would be done in haste, and especially with feelings which may hereafter cost us regret. I hope the motion will not be pressed.

Mr. Wynkoop. I will not persist in urging the measure: but let me explain why I introduced the motion. My only design was to get the records which are withheld from us. I proposed the dissolution of the Presbytery only as a means to that end. I still hope we shall obtain them. I hope we shall go farther in demanding them—and I am prepared to go on and cut the Presbytery off if they refuse to deliver them. I withdraw the resolution I offered.

Moderator. The question now is on Dr. Cuyler's motion that Synod proceed in issuing this appeal. Are you ready for that motion?

Dr. McDowell. Not yet. I presume the trial will proceed as of course, unless our course is arrested.

Dr. Cuyler. Let me explain. The Moderator desired to know what was to be done, and whether the paper put in by Mr. Barnes was a bar to our farther proceedings. I made my motion with a view to obviate all doubt, and as declarative of our determination to proceed.

Dr. McDowell. I am not prepared to oppose the motion. My original wish was to have the whole case referred at once to the Assembly, because I believed that it would be as speedy a way of disposing of it as to decide it here. I thought we should appear better before the Assembly, by adopting such a course. But I do not offer that motion now. We are under great excitement: and in such a solemn business, affecting so deeply the standing of a brother who has certainly treated this Synod with great decorum and respect, I think it will be better that we do nothing to-night: nor, indeed, that we do any thing at any time while we remain in our present state of feeling. I wish farther time to consult and ascertain whether we cannot yet fall upon some plan to relieve us.

Dr. Cathcart here moved an adjournment.

Dr. Cuyler. I am not conscious of being under any excitement: but if the Synod resolve to adjourn, after such a course of remark, it would be best, before they do so, to appoint a committee to consider and report on the proper course to be pursued.

Dr. Cathcart withdrew his motion to adjourn.

Dr. McDowell. I move you the appointment of a committee.

Moderator. You must first postpone the trial, then.

Dr. McDowell. A motion to commit is certainly in order.

Mr. McCalla. There are some men who appear not to be sufficiently acquainted with human nature to give us at all times good advice. What conceivable need can there be of putting off this business until to-morrow? Shall we by that means get clear of the excitement which seems to alarm the good brother? For my part, I have been looking about in all directions to see the excitement he talks about, but I can see none. Every body around me seems to be very composed—entirely in their right mind. Moderator, it puts me in mind of the case of the lady on whom her friends resolved to make a medical experiment. Every one that met her told her she was very ill, and advised her to go home instantly, and send for a physician; and the tale was so often repeated, that at length it became true, and the lady took to her bed in good earnest. It was perfectly natural. Let a man tell you that he will not talk with you now, you are too angry; is there any thing in the world more exciting? So an assembly may be warned against excitement, until they become perfectly furious. And besides: if you do put the business off, will you in that way get rid of excitement? Not at all. You are quite as likely to increase it.

Moderator. I am opposed to all such remarks as reflect upon the Synod. To say that this body is not in a state of mind to act on the business before it, is libellous: the Synod is able and ready to act.

Mr. Cassat. I hope there will be no premature recommitment of ourselves. Dr. McDowell seems to think that the house is under such a violent state of excitement, that we need both to sleep and to pray, before we are fit to do business. Now, to pray, I admit, is proper at all times: but I feel no such excitement as demands sleep to allay it. I have lived long, and been conversant for many years with business of both a civil and ecclesiastical kind, and the result of my experience and observation is this: that the best way to get out of a difficulty, is to go strait forward. Shall the paper which Mr. Barnes has put in arrest us in our course? The book provides for such a case: and I, for one, am in no wise afraid to proceed. I believe that honesty is always the best policy. This thing of stopping, and pausing, and looking round for a way to get out of difficulties, is one of the best expedients to get farther into them. Let the world see you are honest and resolute, and it will do more for you than all the consultation and hesitation you can adopt.

Dr. J. Breckinridge. While I have been inclined to think that the excitement my brother speaks about is not all that it is fancied to be, yet there is certainly some reason for believing that much excitement

does exist. From the sounds we lately heard in this place, sounds which seemed to alternate between ferocity and despair, from the sudden rushing out of one of our lay brethren, and the sympathy in his feelings which appeared in some other parts of the assembly, there is certainly ground for such a belief. Yet, perhaps, it is best that we should be brought to a crisis, by the very interesting, solemn, firm, yet I must think erroneous, document which has been laid before us by our brother Barnes. That paper, I say, has brought us to a crisis. Yet, I must say, that I never saw a more calm, self possessed, or dignified deportment in any individual, than the accused party has exhibited before us this night. Still, we are brought to a crisis: and I confess myself to be at a loss to choose among the several courses now presented to us. If we are to regard nothing but naked duty, without having any respect to surrounding circumstances, and to probable consequences, it would only remain to us to go forward, at once. But there are other things to be looked at. I feel for the imperfection which belongs to us all: I am anxious for an opportunity to get at the foot of the throne of God. Great issues hang upon the result of this proceeding. The destiny of the Presbyterian church in these United States is committed, instrumentally, to the bosom of the members of this Synod. We may pacificate, and may be the instrument of saving, to a late posterity, that precious deposite committed to our care by the Great Owner and master of us all: the deposite of a church whose history has been a history of glory, and will long continue to be so, if we do not permit it to be ruined by that cool jesuitism which smiles at, while it agitates us. Yes, sir: I have seen it; I have seen the smile gleaming from the faces of some members here, while they are rocking our church into tempest, and jeopardizing its very existence. I do not speak now of brother Barnes. No: it is not of him I say such things. I know him, and I love him. I have studied with him, and prayed with him: and I can echo from a broken heart the sentiment which has once been alluded to in this debate, 'save him, oh save him from the pernicious influence of evil counsellors.' If any thing can sink forever his influence for good, and destroy beyond hope of recovery that weight of character which he might have brought to bear on the best interests of religion, it is to be found in the history of this Synod. I have tried to be calm; yet, at every step we have taken, we have had new weights continually hung about our our heels; quibble has succeeded to quibble—and quirks and wiredrawn distinctions, and still new interruptions have met us every moment. At one minute we have been assailed with a hallowed zeal

for our admirable constitution; at the next we have been paralyzed by the most freezing indifference both to its letter and spirit. It requires the patience of Job himself, not to feel the influence of some excitement in circumstances like these. Yet, so far as my own mind has been moved at all, it has been more with grief than with anger. While I have been called by some but a half-way Presbyterian, I have felt my bosom wrung with pity and with horror, to see what some men will resort to, to save a sinking cause. To me it seems that every step I take may be fraught with the seminal principle of the destiny of the Presbyterian church. Let not the friends of what is called Old School Presbyterianism abandon their ground. Let us take time: a month, if it be necessary: let us do our whole duty. I know not what ought to be our next step. The next may be of radical importance. If to stop be wise, why let us stop: or it may be right and expedient to dissolve the Presbytery, though I should think not: I should be sorry to see the whole force of this large ecclesiastical assembly set in array to cut out of being one small section of our body. I think it cannot be necessary. Let them keep their documents, if they will: I would not move a straw to get them; but I pity what I see must be the result of so unworthy, so disgraceful a proceeding.

Mr. PORTER. I am the elder to whom the brother referred as having left the Synod. I did call Mr. Breckinridge to order, as having emsloyed very unchristian language, and applied it to his brethren of this body. I said that his language was not Christian. I think so still. It was language such as never should be used by one Christian brother when speaking of another.

MODERATOR. The remarks of Dr. Breckinridge had reference to your expressions about washing your hands of the Synod and all its doings, and retiring from the Presbyterian church.

Mr. PORTER. Did not he (Mr. R. Breckinridge) call his brethren murderers? I said that if such language was suffered, I would wash my hands of you.

Mr. R. BRECKINRIDGE. I now repeat all that I then said, and would the time permit I would say still as much more; and let the authors of such a proceeding wither and hang their heads. I say their course is despicable, before God and men.

Dr. GREEN. We have in this case to steer between Scylla and Charybdis: between tenderness to Mr. Barnes on the one hand, and a sacred and imperative duty on the other. We refuse the duty at our peril: for we owe it both to the church of God and to her glorious Head. We have had different alternatives presented to us to choose among: and we have had time enough, I think, to make our election of that

course which, while it is the most tender to the party concerned, shall yet secure the safety of the church, now, as I conceive, in imminent peril. That course is to proceed with the trial: and to treat the paper presented by the accused as no bar. And for my own part I should be for proceeding *instanter*, but we have now reached the hour of adjournment.

The Synod now adjourned to Saturday morning at half-past eight o'clock. Closed with prayer.

Saturday Morning, Oct. 31.

The Synod met and was opened with prayer.

The minutes of the last sitting were read and corrected. The report of the Treasurer of Synod was received. The Synod then resumed the trial of Mr. Barnes.

Mr. DUFFIELD presented the following from the Assembly's Second Presbytery of Philadelphia:

The 2d Presbytery of Philadelphia hereby respectfully give notice of their design to appeal from the decision of Synod yesterday, and lay before the Synod the following resolution, viz.:

Resolved, That this Presbytery do hereby appeal from the resolutions of Synod, inflicting censure on us for contumacy in refusing to submit our records; because the Synod having refused to consider our plea in bar, construed the presentation of it as an act of contumacy, and censured us *without a hearing*, which, in our judgment, is both unconstitutional and unjust. A true extract, GEORGE DUFFIELD, Clerk.

MODERATOR. The 18th sub-section of the 3d section of the 7th chapter on Discipline, declares that "an appeal shall in no case be entered except by one of the original parties."

Mr. R. BRECKINRIDGE moved that the paper now handed in be referred to a committee.

Mr. DEWITT. The Presbytery certainly are an original party in this cause.

Mr. WINCHESTER. The Presbytery have not submitted to trial at all.

Dr. MCDOWELL. They were not allowed to be heard.

Mr. R. BRECKINRIDGE. They did answer of record; and they were censured for their answer—and the censure also is of record.

The question was put on the motion to refer, and carried. The paper was then referred to a committee of Messrs. Winchester, McDowell, and Ritner. Dr. McDowell asked to be excused from serving on the committee, but the house refused to excuse him.

MODERATOR. What will the Synod now do?

Dr. MCDOWELL. I wish to make one effort more; though I do not know whether this is the proper time to do it. Far be it from me to do any thing that shall embarrass the Synod. I feel, myself, exceedingly embarrassed; yet I am assured we shall at last have

to come to it, and the sooner the better. I will read a motion which I have prepared, and which, if it is in order, I wish to present to the house. Dr. McD. then read in substance as follows:

"Whereas the Synod has failed to procure attested copies of the records of the Assembly's 2d Presbytery in the case of Mr. Barnes: and whereas Mr. Barnes has objected to the trial's proceeding without such record: therefore, Resolved, while the Synod regret the embarrassments cast in the way of its proceedings by the (Assembly's) 2d Presbytery, and while they believe that the Presbytery, in withholding its records, acted in an unconstitutional and disorderly manner, that they refer the whole case to the General Assembly, requesting that reverend body to take up and issue the appeal."

Mr. R. Breckinridge. Is such a motion in order? It contravenes in the most direct manner every proceeding and determination of the Synod in the case.

Dr. McDowell. Has there been any decision of this house not to refer the case to the Assembly? And if there has been, circumstances have since then materially altered. We are in a different position. If this measure could be adopted, it would, in my judgment, be very desirable. I hope we shall at least have the opportunity calmly to look at it. But if the motion is out of order, I have no wish to embarrass the house.

Mr. R. Breckinridge. The paper covers the very ground which has been fought over for three days, and has been over and over decided on by large majorities.

Mr. J. Latta. We have been sitting here these three days to get at this object, and I hope that no farther obstacle will now be thrown in our way.

Moderator. The motion is out of order. The house has settled the point: it has resolved to proceed with the trial; and such motions only throw us into embarrassment.

Mr. Adair. What we have heretofore decided was decided in view of the fact that Mr. Barnes would consent to be tried. We now find he will not consent. The case is changed. How then is the motion out of order?

Mr. M'Calla. I move you that Synod proceed to consider the unfinished business.

Dr. Cathcart. I object to that course. We have various business before us: and only two synods in forty years have ever been known to sit into the second week. How long will this trial take? We have other matters on hand of far more importance to the welfare of our churches. I do not indeed say that this is an affair of trifling importance; but the book of Mr. Barnes is now published: it is in the hands of the public: and I don't believe that your decision will change the opinion of a single individual. The new organization of our Presbyteries is a

very important business: they can be arranged in a manner very advantageous to the churches. If we go on with this business, who can tell where we shall make an end of it? There are two hundred and forty-nine members, every one of whom has a right to speak on the merits of the case after all the testimony and all the pleadings are through with.

Moderator. The Moderator decides that the motion is out of order: inasmuch as Synod has determined that it will proceed with the trial, and that there is no legal bar in the way.

Mr. R. Breckinridge. I move that the paper handed in by Mr. Barnes be referred to a committee whose duty it shall be to form a minute expressive of the reasons why the Synod cannot admit it to be a bar to our proceedings. It may be the same committee to whom was referred the appeal of the (Assembly's) 2d Presbytery.

Mr. Winchester. Dr. McDowell moved its commitment last night: but no question was taken.

Moderator. That is now the question before Synod.

Dr. McDowell. I do not wish to insist upon my motion. I withdraw the motion.

Moderator. Then the question is now on Dr. Green's motion, that the paper presented by Mr. Barnes is no bar to our proceeding with the trial. Dr. Green was ordered to draw up reasons for that judgment.

Dr. McDowell. This paper is, in my view, a very serious bar in our way: so much so that, according to my apprehension of the matter, we cannot proceed correctly to issue the case. We have not a full exposition of the testimony, as I suppose. In consistency with the ground taken by the 2d Presbytery, I presume they will explain nothing; I take it for granted they will not open their lips in defence of their decision. Our proceedings, therefore, must be wholly *ex parte*. Nor will Mr. Barnes defend himself, or take any farther step in the matter. This presents a state of things so serious to my mind, that, with my present impressions I must, if called on to vote, decline doing so. I could not conscientiously do it. I cannot decide on such a partial view of the case. I am therefore opposed to our proceeding any further. I say this most seriously; and I take this opportunity to apprise the Synod, so that when the final vote shall be called for, I may not be considered as capricious in refusing to give my vote. I can't do it. In the fear of God, I can't do it.

Mr. McCalla. I hope I agree with Dr. McDowell in some things, viz. in this, that I speak seriously: that I act in the fear of God. But it is not for a minister of Christ, who has sworn both to do and to

suffer all that devotion to Christ's flock may call upon him to do, to refuse to act when duty calls for action. We are now deliberating on a question which deserves very serious consideration, viz. whether we will proceed and administer the discipline required at our hands by the laws of Christ's house. In the first place, we are by our office watchmen upon Zion's walls: we are placed there to blow the trumpet, and give the alarm on the first appearance of the enemy. We are shepherds: and are we to turn and flee when we see the wolf coming? One has endeavored to show us that the enemy is not only coming, but come. Aye—but there is a *bar* in the way. And what is it? That the enemy has run away? oh no. Or at least does he tremble at such an array of the embattled host of the Lord? I wish such a band was ever ready to meet him in the gates. Better were it if all those who encroach on the peace and purity of Christ's house, should behold such a phalanx of armed watchmen on Zion's towers, that it might still be said, "They saw it, and so they marvelled: they were troubled and hasted away." I do not say that the party accused is an enemy of God's church; but the appellant alleges seem to be such. Does the constitution sanction the ground now taken by Dr. McDowell? Does it make it essential, before we can issue an appeal from a lower judicatory, that that judicatory shall be willing to come to our bar? Before we try an accused party, must that party be willing to be tried? If that were its doctrine, then when a church-member was accused of murder, all he would have to do in order to escape the discipline of the church, would be to get the pouts; to shut up his mouth, and refuse to speak a word, or else to say, 'I object to being tried.' But pray is this to stop the course of discipline? does it make the least difference in the duty of the court? Not the least. The law remains the same, whether he is silent or whether he speaks out. Such is the law, and such has always been our usage. It is the course of all courts, civil and ecclesiastical. But there is a difference of temperament among men: nor will age, or standing, or experience, or exalted titles alter the case. There are some men who, when their conscience tells them there is a great object in view, go forward toward it like Leviathan, who "is comely in his going," and who "turneth aside for none." They care not who is in the way, or who turns tail and runs away. The object is before them: duty calls: and their word is "Forward!" There are others who as soon as they catch sight of the enemy, turn about and make haste to save themselves. And there are yet others, who are like a young child upon a carpet; they stumble at every straw; every wrinkle

is a *bar* in their way. But this Synod is not composed of men like these. Why then should we delay?

Dr. GREEN. I do not see the need of committing Mr. Barnes' paper at all. Your record already states sufficient reasons for proceeding with the trial. You have said that this paper is no sufficient bar. If I did believe that there was the least danger of injustice to the accused, I should be as ready to arrest the course of the trial as any man here. But you have before you the original record of the sentence, and Dr. Junkin tells you that he has in writing every particle of the evidence exhibited before the Presbytery: and your Book of Discipline completely covers the case. Having all these materials to go upon, why commit? The way is clear. But, if the house choose to commit the paper and wish me to draw up the reasons why it is no bar to our progress, I can state what I have briefly referred to. But I think you have a fair open door before you, and that there is no need of thus piling up record on record.

Mr. LAWRENCE called for a division of the question: it was divided accordingly, and put 1st on declaring the paper of Mr. Barnes no bar to the trial; and then on committing the paper. Both parts of the motion were carried by a large majority.

MODERATOR. Synod will now proceed to hear the testimony in support of the appeal.

Mr. BARNES. I shall probably take an appeal to the General Assembly. The reasons I shall give in at the proper time.

Mr. R. BRECKINRIDGE. None can appeal until he has regularly submitted to a trial. Mr. Barnes has not so submitted, and cannot regularly appeal. There is no need of entering this notice of appeal in our record.

Dr. M'DOWELL. I hope it will be entered.

Mr. GILBERT. I move that it be recorded.

Mr. R. BRECKINRIDGE. It is obvious that there is a settled design here to consume our time.

Mr. GILBERT. Our book says that "all persons who have submitted to a regular trial in an inferior, may appeal to a higher judicatory."

The question being put on recording Mr. Barnes' notice of appeal, the moderator pronounced it to be decided in the negative.

A division of the house was called for by several members.

Mr. R. BRECKINRIDGE. I wish the Moderator to decide whether Mr. Barnes was not disorderly in giving the notice as he did.

MODERATOR. I think it was an improper time to give such notice.

Dr. M'DOWELL. We have just now voted the plea he put in to be no bar to our proceeding with the trial: and he now appeals from that decision.

MODERATOR. At every five minutes of our proceedings such an appeal may be put in.

Mr. M'CALLA. A synod in Scotland would have deposed Mr. Barnes the moment he declined submitting to its authority. How will it look if we allow him the right of appealing at every step of our proceeding?

Dr. JUNKIN. If my friends here will allow me, I can go on. But they jump and seize at every bait which is thrown out for delay. I beseech them to go on. There is no need, when we have ninety-nine of a majority to be answering every little quibble that is raised.

MODERATOR. The appellant will proceed with the testimony.

The clerk now read the letter of Dr. Junkin to the Assembly's 2d Presbytery.

Dr. JUNKIN. I now offer two letters which go to strengthen the case by farther showing my efforts to procure legal evidence to lay before this Synod. I wrote to the stated clerk of the 2d Presbytery, and asked him to give me a certified copy of a part of the proceedings. I have here his answer to that letter. It is important, because it shows that he depended on me for the whole of the testimony in the case. I want to show that I applied to him for a certification of that testimony.

Here Dr. J. read the following:

Rev. Thos. Eustace, Stated Clerk of the 2d Presbytery of Philadelphia.

Dear Brother—As a party appellant, I am entitled, by Book of Discipline, chap. iv. sec. 16. and chap. xxi., to receive authentic copies of the whole proceedings in the case. I desire to have your certification to the accompanying paper, being a part of the documents. Yours, &c.

Oct. 31 1835. GEO. JUNKIN.

REPLY.

Rev. Dr. Junkin—In reply to your note of this morning, I as an individual, but not as Stated Clerk, would certify, that the volume of paper to which you have desired my attestation was your own private paper, which I believe you read in whole or in part, (I cannot say which,) and commented on, in the trial of Mr Barnes; but that volume was never submitted to the Presbytery for their use, nor is it any part of their record of proceeding in the case.

(Signed) THOMAS EUSTACE.

York Oct. 31 1835

Dr. JUNKIN. I laid it on the table of the Presbytery and offered it to the clerk: but the clerk said he would rather copy the passages marked from his own book. These letters will show that I claimed my right of a certified copy of the records.

Ordered that the letters be put on file.

Mr. R. BRECKINRIDGE. The next step is to join the issue, by stating Mr. Barnes's acknowledgement or denial of the charges.

Dr. JUNKIN. Mr. Barnes did not deny all the charges; he admitted most of them. The presbytery did not call upon him to say whether he admitted or denied the charges.

MODERATOR. It is notorious that the plea of Mr. Barnes was of a general kind, and did not specify whether he admitted himself to be guilty or not.

Dr. JUNKIN. I offer this manuscript as the same identical paper referred to by the clerk of the presbytery in his letter which was last read. I offer brother Steele and the moderator of the synod as witnesses, to prove that it is the same paper I made use of before the presbytery. The moderator had it in his hands, as editor of a religious paper published in Philadelphia, and saw it often.

Mr. STEELE was here examined as a witness. [Having been already sworn on a former occasion.]

MODERATOR. According to your best judgment is that the same paper produced before the presbytery by the appellant?

Mr. STEELE. It is.

Dr. McDOWELL. Does this paper contain the whole of the testimony adduced before the presbytery as taken by the clerk?

Mr. STEELE. I was not clerk of presbytery and do not know what the clerk put down. I saw this writing. There are some additional marks in the final part of it which I saw written: and I find them here on this paper. A close examination convinces me that it is the same.

Mr. R. BRECKINRIDGE. Was there offered upon the trial any other testimony which you know or ever heard of?

Mr. STEELE. Not by the prosecutor.

Mr. R. BRECKINRIDGE. Was there by any other person?

Mr. STEELE. I do not recollect whether there was any offered by the accused: there may have been portions from his book, but I do not recollect.

Dr. JUNKIN. The witness is mine. I have the privilege of asking him questions. In conducting a trial, testimony, if I understand it, is always taken before the parties argue the case. When they begin their argument, the implication is that the evidence is done: that it is closed. If I read from a book it is part of my argument; it is not testimony. The whole of Mr. Barnes's argument was laid on the table of presbytery as a document: I asked for the same privilege, and it was refused. Mr. Barnes did refer to his book; but he offered no more testimony. Many parts of the book itself were read; but not as testimony. I now ask the witness whether any thing else was offered as testimony before the arguing of the cause? I admit that Mr. Barnes did read out of his book with

a view to shew that I misunderstood the passages quoted by me.

Dr. JUNKIN. Were you present during the taking of the testimony before the presbytery?

Mr. STEELE. I think I was, during the whole time.

Dr. JUNKIN. Did Mr. Barnes offer, as testimony, prior to the opening of the argument by the parties, any testimony whatever?

Mr. STEELE. If my recollection serves me, Mr. Barnes always read a passage from his book in answer to the passages cited by Dr. Junkin under each charge, and commented on them at the time. This I suppose he adduced as rebutting testimony. But whether the court so considered it or not I do not know. I give merely my own individual supposition. I ask leave to remark here, as a reason why I suppose this, that the trial before presbytery was conducted in this manner. First the prosecutor read a passage from Mr. Barnes's book. Then the prosecutor was heard in support of that charge. Then, when he had finished his remarks, the accused was heard in reply, when he first read passages out of his book and then commented upon them.

Dr. JUNKIN now read the rule in reference to the recording of testimony, from the Book of Discipline, chap. vi. sec. 10.

"Every question put to a witness shall, if required, be reduced to writing. When answered, it shall, together with the answer, be recorded, if deemed by either party of sufficient importance."

Mr. BARR. I insist that all that is said by the witness shall be taken down, if any member of the court shall desire it.

Mr. R. BRECKINRIDGE. The meaning of the rule is evidently this, that even if the court shall not deem a thing said of sufficient importance to be recorded, still, if either of the parties shall think it so, it shall be taken down. Of course any member of the court can have it done at pleasure.

MODERATOR. Any part of the testimony may be reduced to writing, if any member of the court or either of the parties shall desire it.

Mr. STEELE then repeated his last answer, and it was taken down by the clerk.

Dr. JUNKIN. Was the whole of the testimony read in the first place, and afterwards read in detail?

Mr. STEELE. I think it was.

Dr. JUNKIN. Did Mr. Barnes bring any witness into court for examination? or any documentary evidence of any kind?

Mr. STEELE. I have no recollection of any person's being introduced as a witness by either party; nor of any documentary evidence being adduced by Mr. Barnes besides his own book, from which he read frequently and very fully in different stages of the trial.

Dr. JUNKIN. As there may be different apprehensions as to what is meant by documentary evidence, I wish to ask the witness whether the defendant in the course of his defence read from any other works besides his book on the Romans? such, for instance, as Edwards, the Biblical Repertory, &c.

Mr. STEELE. Yes: he did.

Dr. McDOWEL. Does this rebutting testimony make a part of what is here presented before this court?

Mr. R. BRECKINRIDGE. There should be something in the question to show the real state of the fact. It is evident from the reply of the witness that there was no rebutting testimony adduced. If the question is entered in the form proposed it will appear that there was rebutting testimony, when he stated there was none.

Dr. McDOWEL. As I understood the witness this rebutting testimony was read under each charge as Dr. Junkin proceeded. I want to know whether this makes part of the documents before the court?

Mr. STEELE. I have already answered the question: this document contains only the proof addressbefore the Presbytery by Dr. Junkin. If Mr. Barnes read at any time the same passages from his book which Dr. Junkin read, then this contains a part of what Mr. Barnes read: if not, then it contains nothing of what he read.

Mr. CAMPBELL. Do you know that this document contains *all* the evidence which had an influence on the court below in giving its judgment?

Mr. MUSGRAVE [to the the court.] Moderator may there not a difficulty arise from the fact of Mr. Barnes declining to defend himself and no advocates being appointed in his behalf?

Mr. M'CALLA [to the witness.] Did not Dr. Junkin formally lay before the Presbytery inculpatory passages from Mr. Barnes' book as evidence against him, before the argument on his part commenced.

Mr. STEELE. He did.

Mr. M'CALLA. Did Mr. Barnes formally lay before the Presbytery any rebutting testimony from the same book before his argument in reply?

Mr. STEELE. He did.

Mr. HAMNER. Did Dr. Junkin produce before the Presbytery any other testimony, documentary or otherwise, than is found in Mr. Barnes's book?

Mr. STEELE. Dr. Junkin stated in his letter to the Presbytery that he had no other witness to adduce than the book itself: and that Mr. Barnes' notes on the Romans were the witnesses to whom he would appeal in support of his charges. But in his pleadings reference was often had to other authorities. I add, in answer to Mr. M'Calla, that in introducing the

evidence, remarks might have been made previous to the reading of passages by both or either of the parties: but, in general, passages from the book were read, and then commented on by each party.

Mr. M'Calla. Were not the passages quoted by Dr. Junkin read by the Presbytery before the argument?

Mr. Steele. The charges, together with the proof, were first read.

Mr. M'Calla. Were the rebutting passages adduced by Mr. Barnes read also by the Presbytery before the argument?

Mr. Steele. The Presbytery took up the trial in detail. One charge at a time: and, if I recollect rightly, Mr. Barnes' proof, in the passages read by him, and which I understood to be meant as rebutting testimony, was adduced under each particular charge.

Mr. M'Calla. What I want to know is whether any evidence was read by the Presbytery which is not now before us?

Mr. Steele. I have no recollection of any evidence being read in defence by any one but by Mr. Barnes himself, and that was read by him either before, or at the introduction of his argument.

Mr. Barr. Do you certainly know that this paper contains nothing but the testimony adduced by Dr. Junkin in the trial?

Mr. Steele. Dr. Junkin has already stated to Synod that he has interleaved the notes of his arguments with the pages of Mr. Barnes' book: but the document containing the testimony is regularly paged without noticing the printed pages interleaved.

Mr. R. Breckinridge. This witness was introduced to authenticate this record, and for that purpose only. He has done that, and I think gentlemen ought to be satisfied.

Mr. Hamner. The answer of the last question does not meet the question. Does the witness know certainly that in the numbered pages of this manuscript there is nothing but what Dr. Junkin introduced as testimony on the trial below? (We are bound, as a court to look for every particle of light we can obtain.)

Mr. Steele. I have already stated that, after a careful examination, I believe this to be the same identical document produced before the Presbytery and which he used entire.

Mr. Hamner. And that nothing has since been added?

Mr. Steele. I believe that no addition has been made to it since the trial. That is the best of my belief.

Mr. Smith. Was that paper, purporting to be the

testimony adduced before the Presbytery read by any organ of the Judicatory, or only by Dr. Junkin himself?

Mr. M'Calla. Aha? I know his object, Moderator? The old proverb says, set a rogue to catch a rogue. [A laugh.]

Mr. Steele. I think it evident, as this paper contains the testimony and proof adduced by the Prosecutor, that it was read by the authority of the Presbytery, as the trial was entered into and issued there.

Mr. Smith. Was not the exculpatory proof adduced by Mr. Barnes introduced in the same manner?

Mr. Steele. I think the testimony adduced by Mr. Barnes was not read separately and distinctly, all at one time, as were the charges and the proof under them as addressed by Dr. Junkin.

Mr. Smith. Was not the testimony of Mr. Barnes introduced as much by the authority of the Presbytery as the testimony adduced by Dr. Junkin?

Mr. R. Breckinridge. This opens the whole case. It is now attempted to show that regular testimony was produced by Mr. Barnes, and that Mr. Barnes relied on testimony which is not now here.

Mr. McCalla. I want this synod to do justice, although it was intimated that we are the friends of the prosecutor only. I know no such distinction. I am a friend both to Mr. Barnes and to the prosecutor in this cause. The question is intended to elicit testimony greatly in favor of Mr. Barnes. They are endeavoring to shew that evidence was laid before the presbytery by Mr. Barnes as much as by Dr. Junkin: and that therefore we have only half the testimony: we have Dr. Junkin's: but we have not got Mr. Barnes's. And have not the friends of Mr. Barnes a right to shew this, if they can? Most assuredly. But the whole truth should be brought out. And I therefore ask the witness whether Mr. Barnes had any evidence separate from his argument, which he produced before the presbytery, in the same manner as Dr. Junkin did?

Dr. Junkin. I object to the question. It implies that Mr. Barnes had testimony; which is denied.

Mr. McCalla. I did not use the word testimony. I know there were no witnesses examined: I used the word "evidence."

Dr. Junkin. I object to that. You have proof that no testimony was adduced by Mr. Barnes.

Moderator. The question is in order.

Mr. Steele. The passages from his book which were read by Mr. Barnes, and which I supposed him to introduce as evidence, were evidently read with the approbation of the Presbytery.

Mr. Smith. The answer is not definite. My ob-

ject was this: it was said by brother McCalla that the testimony supposed by Mr. Steele to be rebutting testimony was not testimony, but only argument; and that that introduced by Dr. Junkin was testimony and was read with the approbation of the Presbytery. Now what I wanted was to know whether the proof introduced by brother Barnes did not stand on precisely the same ground before the Presbytery as that adduced by the Prosecutor?

Mr. Steele. I will give all the answer I can. I do not know the comparative estimate the Presbytery set upon the two.

Mr. M'Calla. I am averse to preventing the witness from being examined and cross-examined till brethren are satisfied.

Mr. Gibson. I was present in the court during the whole of the trial, and I wish to see whether the witness's recollection of it agrees with my own. And I now enquire did not the court agree that the temporary Clerk should copy the evidence from the document of Dr. Junkin?

Mr. Steele. I think so.

[Here the trial was suspended, in order to receive the following Report of Dr. Green.

"After deliberation on the statement made by Mr. Barnes, and the paper laid by him before the Synod containing the substance of the said statement.

Resolved, That although the Synod would most cautiously avoid any proceedure that might, in any degree, do injustice to Mr. Barnes, yet, in as much as the Synod have in their possession, verified an oath, a correct copy of the charges preferred against Mr. Barnes before the (Assembly's) Second Presbytery of Philadelphia, and the decision of said Presbytery thereon, acquitting Mr. Barnes: and in as much as the Constitution of the church, in a fair construction of its provisions and spirit, does make provision for proceedings in a trial, in which, as in the case now before the Synod, the usual documentary evidence cannot be obtained:—and in as much as the admission of the validity of Mr. Barnes declinature of a defence, in the circumstances in which he is placed, would be to permit him to avail himself of a wrong done by the Presbytery of which he is a member: and in as much, finally, as this Synod entertain a solemn conviction that the purity and peace of the church are deeply involved in as speedy a decision of the case before them as can be made, in consistency with justice and equity: therefore, the Synod feel constrained to regard the statement and paper submitted to this Judicatory by Mr. Barnes as FORMING NO BAR to the continuance of the process already commenced in his case: and that said process be accordingly continued to its legitimate issue."

The report was accepted.

The Synod then took a recess.

After recess, the examination of Mr. Steele was resumed.

Question by Mr. Morss. Were the passages of

Mr. Barnes' book, which Dr. Junkin referred as evidence in support of his charges, read by or f the Presbytery before the argument was entered upon?

Mr. Steele. I have already stated the order of proceeding. The whole of the evidence was read in the first place, and being read, I take it for granted it was read by authority, or by permission of the Court; but by which, I do not know.

Mr. Winchester. Was there any other evidence adduced by either party in the cause, except the book of Mr. Barnes on the Romans?

Mr. Steele. I do not recollect any.

Mr. Pickands. Did the Presbytery order their clerk to take a copy of this evidence, or procure a copy to be put on their files?

Mr. Steele. I prefer to give the answer to a question put by Mr. Gibson.

Mr. Pickands. That answer is not satisfactory. I ask whether Presbytery ordered a copy to be taken of this evidence?

Mr. Steele. I do not recollect such an order: but I recollect the conversation that passed, and the offer made by Dr. Junkin to lay the evidence on the table for the use of the clerk; and I saw him do so.

Mr. Perkins. Who read this testimony before the Presbytery?

Mr. Steele. I cannot answer certainly: though it strikes me at present that in consequence of the peculiarity of the hand-writing, Dr. Junkin read it by permission.

Dr. Junkin. Was it by permission, or by request?

[No answer was given to this question.]

Mr. Pickands. Was Dr. Junkin directed, or requested to read this testimony? I wish the witness to give a straight-forward answer.

Mr. R. Breckinridge. I hope the Moderator will protect the witness, and not permit such language to be used.

Mr. Steele. I believe he was requested to read it, either by the Presbytery, or by the clerk.

Mr. Blythe. The Book of Discipline requires of you that "Witnesses shall be examined first by the party introducing them: then cross-examined by the opposite party: after which any member of the judicatory, or either party may put additional interrogatories." It also declares that "The second citation to an accused person or a witness ought always to be accompanied with a notice that if the person cited do not appear at the time appointed, the judicatory, besides censuring him for his contumacy, will, *after assigning some person to manage his defence*, proceed to take the testimony in his case as if he was present." I move you that, in conformity with this

rule, some person be appointed to manage the defence of the accused, and that such person be allowed to examine the witness on behalf of Mr. Barnes

Mr. Olmstead. The book permits this only where the accused feels unable to plead his own cause; and then it must be done at his request. "No professional counsel shall be permitted to appear and plead in cases of process in any of our ecclesiastical courts. But if any accused person feel unable to represent and plead his own cause to advantage, he may request any minister or elder, belonging to the judicatory before which he appears, to prepare and exhibit his cause as he may judge proper. But the minister or elder so engaged shall not be allowed, after pleading the cause of the accused, to sit in judgment as a member of the judicatory." ch. iv. 21.

Moderator. That is a fact, and therefore the motion is out of order. The appointment is to be made only when the accused is unable to plead for himself.

Mr. Blythe. But if the moderator will refer to section 11, of the same chapter, he will find that the provision I read refers to the case of an accused person who is refractory and contumacious. The rule declares that "although on the first citation the person cited shall declare in writing, or otherwise, his fixed determination not to obey it: this declaration shall, in no case, in lace the judicatory to deviate from the regular course prescribed for citations. They shall proceed as if no such declaration had been made." Then it goes on to provide that his second citation shall be accompanied with notice that if he does not appear, the court "will, after assigning some person to manage his defence, proceed to take the testimony as if he were present." This does not suppose that he cannot attend, but that he is contumacious and won't attend. Yet even in that case a representative is to be appointed to manage his cause. I am in favor of the same thing's being done here.

Moderator. The Moderator would like to have the opinion of Synod on this point. The chair had supposed that the rule read referred only to the commencement of a trial.

Dr. Green. I cannot see any difference as to the application of the rule, between the commencement of a trial, or at a subsequent stage of it. I have been informed that the course pursued in civil courts, when the party to be tried absconds, or cannot be made to answer, is that the court proceeds with the same formalities as if he were present and answered. An advocate is appointed for him, and the trial then goes on. Now so far as this may be practicable in the present case I am for having it done. I wish to do every thing that we can do, to prevent future cavil. I would do all that justice, that equity, and

even that formality can require at our hands. I hope that in some way we shall get a respondent.

Mr. M'Calla. When the accused is present and refuses to plead, this course is pursued, but not when he is absent.

Mr. Olmstead. The accused may complain if an advocate is assigned him who is not as able as himself.

Mr. Musgrave. In the Assembly this is done: and I wish it done here: especially as some members understand the book as requiring it. I wish it especially with a view to public sentiment. We have undertaken to try this cause without having the documents of the court appealed from. This alone will operate as a great disadvantage to us, so far as popular impressions abroad are concerned: and now, if we proceed with the examination of witnesses without any one to cross-examine on Mr. Barnes' behalf, the general opinion of our proceedings will be that they have been wholly *ex parte*. The moral effect will be prodigiously injurious to us. To guard against such consequences, it is due to ourselves to make the appointment proposed.

Mr. M'Kinney offered a resolution for the appointment of an advocate to manage the cause on the behalf of the accused.

Mr. Winchester. The book, in the very clause referred to, requires the second citation of the party accused, if he refuses to obey the first. But Mr. Barnes has not been cited a second time. He has been warned by the prosecutor of his intention to appeal: but he has not been cited a second time.

Mr. B. Patterson. The book also requires that he be first censured for contumacy.

Mr. M'Calla. This discussion is only a sacrificing of our time. We are continually met with these men of straw, and all our argumentation is only like Saul's armor on David.

Dr. M'Dowell here read again the passage cited from book iv, chap. 21, and enquired whether the language was not imperative?

Mr. Phelps referred to the same passage, but argued that no second citation would be requisite now, as the trial had actually commenced.

Mr. R. Breckinridge. If the book requires the appointment of an advocate, then we are bound to appoint one. It is not forbidden, however, though no second citation should have issued. I hope the appointment will be made, as it will conduce at least to the appearance of justice. If any one can be got who will freely undertake the task, I should be in favor of it; but I would have no man compelled to act. There is no need now for a new citation, though we may possibly have to cite Mr. Barnes before all is

over, if things shall be driven to extremities. I concur in the doctrine that we may cite Mr. Barnes and may proceed very summarily. But I regret Mr. Barnes' course: he has deprived himself, by it, of the right of appeal. I hope the appointment will be made, and that the ablest man in the Synod will undertake the service.

Dr. CATHCART. The rule which requires the party to apply for an advocate never was designed for a case of this kind, but only applies when an accused person is unable to attend or unable to plead his own cause. The rule cannot be made to apply here, if Mr. Barnes does not wish such an appointment made.

Mr. R. BRECKINRIDGE. If that is known to be Mr. Barnes' wish, it will alter the case.

Dr. CATHCART. I think we have received a pretty strong hint on that subject.

The question was now put on the motion to appoint an advocate to conduct the defence, and the vote was doubtful. The house was thereupon divided, when it was evidently carried, there appearing 115 in favor of the resolution.

MODERATOR. Shall the Chair appoint? or will the Synod nominate?

[Cries of 'the Chair, the Chair.']

MODERATOR. I nominate Mr. Gilbert.

Mr. GILBERT apologized and desired to be excused from serving.

Mr. PERKINS. Mr. Breckinridge said the ablest man in Synod should be appointed. I suggest the appointment of Mr. Robert Breckinridge. (a laugh.)

Mr. J. LATTA. I suggest the appointment of Dr. McDowell.

Dr. McDOWELL. The suggestion appears to be intended as a personal reflection, and as intended to identify me with the cause of Mr. Barnes. In my course on this occasion, I have endeavored to pursue what I deemed the order of the church to demand. On the merits of the case, I have never uttered a word. I did take the ground that under existing circumstances the trial ought not to proceed: and I believe the Synod will find it so when their acts come before the public and before the General Assembly—(and there you are going.) I am here constituted a judge: would it be consistent in me to become the advocate of Mr. Barnes? I disclaim all party feeling in the business. I utterly disavow all identity with any party. I am no party man; never was: and I hope never shall be.

MODERATOR. I have permitted these remarks, because the suggestion seemed intended as a sarcasm. They are not strictly in order.

Mr. McCALLA. Is there to be no end to these nominations?

Moderator. I will try again. I nominate Mr. De Witt.

Mr. De Witt declined.

Moderator. I nominate Mr. Campbell.

Mr. Campbell desired to be excused.

Mr. Winchester. As the Moderator has now fulfilled the duty assigned him, without success, I move that the trial proceed.

Moderator. Is there *any* member of the Synod who is willing to undertake the duty of an advocate for the defence?

No response being given, it was resolved to proceed.

Dr. J. Breckinridge. You have now decided the principle that a regular part of your proceedings is to appoint an advocate for the defence. Now if this is a necessary step in the progress of the cause, and no advocate can be got to serve, does not that fact, of course, arrest your progress? I have thought it wrong from the beginning that you should proceed without the proper documents from the Presbytery: but I bowed to the expressed will of the judicatory. You now occupy a singular position. And there may be good reason why you should now pause: and instead of pressing on the issuing of this appeal, try what you can do with Mr. Barnes personally, since it seems impossible to arrest these perpetual difficulties which spring up every moment in your way. I suggest this for consideration.

Mr. Pickands. I wish to explain why I nominated Mr. R. Breckinridge. I believed him to be entirely conscientious in his course here; and from the constitutional ardor of his temperament, I was led to believe that if he did undertake the defence, he would enter into it more warmly than any other member of Synod.

Mr. McKinney. I think since none will volunteer, we ought to assign some member to the duty of advocate.

Moderator. The Chair has given a free permission to any member to come forward and undertake the task: he could do no more, unless he should go about and beg.

Mr. Blythe. I doubt, for my own part, whether if the judicatory appoints a member, he has a right to refuse to serve, even although his opinions may lead him to take the other side. I do believe we cannot constitutionally go on with the cause without such an appointment.

Moderator. I appoint brother Blythe. [a laugh.]

Mr. Blythe. Moderator, I ask, after one has been appointed and has had leave to decline, whether I am not entitled to decline also? [much laughter.] I suppose a member can be compelled to serve: but if

one is allowed to excuse himself, another may claim the same privilege. [laughter.]

Dr. NEILL. Though none is more inclined to do justice to Mr. Barnes than I am, yet I am not required to do more. I think we have done all we can in this matter.

It was ordered that the trial do proceed.

Dr. JUNKIN. Is the court satisfied of the authenticity of the paper I am about to read? Has it been sufficiently proved?

Mr. R. BRECKINRIDGE. I move that it is the judgment of the Synod that the document has been sufficiently authenticated, and that it be now read.

Mr. WINCHESTER. I hope that the effort of the Synod to obtain an advocate for the defence will be entered on our records.—It was so ordered.

Mr. HAMNER. I wish that the paper be authenticated by more than one witness, if more can be had. I desire this for the sake of the appearance of our proceedings before the world, and before the General Assembly. Dr. Junkin, I think, spoke of several witnesses: if he has them, let them be examined.

Dr. JUNKIN. The Moderator of the Synod is my next witness.

Mr. MORSS. If there are a thousand witnesses to certify this paper, it will not supply what is wanting.

MODERATOR. The Moderator feels a delicacy from his position in coming forward as a witness. It is his duty to preside here with entire impartiality: and should he be placed at the stand as a witness, his answers might possibly impair the confidence of some brethren in his impartiality.

Dr. JUNKIN. I will state the reason why I wish him examined. He saw me handling this very paper in the Presbytery; and also in his own study: and he took a copy for the press.

Dr. NEILL. I feel a deep interest in the request of the Moderator to be excused. I see his delicate position: and I do not think it can be necessary that he should be examined. For myself I am as fully satisfied that that is the same document as was exhibited before the Presbytery as I could be if we had half a dozen more witnesses to prove it. Why then convert our Moderator into a witness in the cause?

Mr. J. LATTA. Let the Moderator put the question, and ascertain whether the minds of Synod are not satisfied.

MODERATOR. That question has been propounded, and one member expressed a wish for farther testimony.

Mr. J. LATTA. Well then, I move that the Synod is satisfied that the document is authentic.

Mr. HAMNER. Our book says that more than one witness shall be brought to substantiate every point.

We are laying the substratum of the whole cause; and can you refuse the call for additional testimony, when you exact more than one witness for the substantiation of each item of the charge?

Moderator. I have no objection to be examined if it is required. I can only corroborate what has been already stated.

Mr. Davie. One good witness for the purpose of authenticating a paper is as good as a thousand. But if you wish the Moderator examined, he is just as good a witness as any other member of the body.

The question was now put on receiving the paper as authentic, and carried. So the copy of the testimony produced by Dr. Junkin was received as authentic by the Synod, and was thereupon ordered to be read. Dr. Junkin read it accordingly.

[For this document, containing the charges against Mr. Barnes, with their proofs, see the Defence of Mr. Barnes before the Assembly's Second Presbytery of Philadelphia, as published in the appendix.]

Moderator.—Having heard the testimony, the next step is to hear the original parties.

Mr. M'Calla. It was said, that any member who would volunteer, might be appointed to defend Mr. Barnes: if the testimony adduced in the court below in favor of the accused is put into my hands, and I can conscientiously defend him, I will do it.

Mr. Perkins. I move that brother M'Calla be appointed.

Dr. Junkin. The copy of the Notes on the Romans from which I shall quote, is the New York edition, printed by Leavitt, Lord & Co. 1834. Does the court wish proof that this is Mr. Barnes's work? If necessary, I can produce Mr. Barnes's letter, acknowledging himself to be the author. But first, I wish to read the letter I wrote to Mr. Barnes. I wish to read it because it will show the spirit in which this prosecution was begun. All must surely know that such a task is odious in its nature; and that whoever undertakes it, exposes himself to public reprobation. Especially is this true, where a minister comes from a foreign Presbytery and throws himself into a business of this kind: it has a natural tendency to prejudice the court before which he thus intrudes himself, strongly against him. It is an odious thing to bear the reputation of a voluntary prosecutor. It is exceedingly odious: because it too often happens that in such a case there is a mixture of unkind personal feeling which secretly prompts the proceeding, or at least insinuates itself among the motives which lead to it. I wish to read this letter, that I may show the real spirit and design with which this matter was undertaken.

Dr. J. then read the letter.

[For this document, see Appendix, p. 4.]

To this letter I received the following reply:

PHILADELPHIA, March 18, 1835.

Rev. Sir—Your letter came to hand to-day. In regard to the "postulates" which you have submitted to my attention in your letter, I remark, that the Notes on the Romans *are* my production, and that I trust I shall never so far forget myself as to put any one to the "trouble of proving it." On those Notes I have bestowed many an anxious, a prayerful, and a pleasant hour. They are the result of much deliberate attention, and of all the research which my circumstances and my time permitted. I commenced and continued them, with the humble hope of extending my usefulness beyond the immediate sphere of my labors in the pulpit; nor have I any reason to doubt that, in this, I was under the guidance and direction of that Sacred teacher by whom the Scriptures were inspired. If others *would* make a better book on the important Epistle in question, I should heartily rejoice in their doing it. I have never been so vain as to think that, in the exposition of a book like the Epistle to the Romans, so intrinsically difficult—so profound—so often the subject of commentary and controversy, *my* work was infallible: or that there might not be room for much honest difference of opinion and exposition. Nor can I conceive of any such stubborn attachment to my own views there expressed, as to be unwilling to be convinced of their error, if they are incorrect, or to retract them, if I am *convinced* of their error. Whether the act of *charging* a minister with heresy; of *arraigning* him for a high *crime*—without a friendly note, without a christian interview, without any attempt to *convince* of erroneous interpretation—be the scripture mode, or most likely to secure the desired end, belongs to others, not to me, to determine. I would just say, that *I* have not so learned Matthew xviii. 15—17. I have no reason to *dread* a trial, or its result. I mourn only that *your* time, and mine, and that perhaps of some hundreds of others, should be taken from the direct work of saving men, and wasted in irritating strifes and contentions. On others, however, not on myself, will be the responsibility.

In regard to the "postulate" in your letter, that I would waive the constitutional right of ten days, &c. I have only to say, that if any man feels it his duty to arraign me before my Presbytery, I presume it will be best, in the end, and most satisfactory to all parties concerned, that the principles and rules of the Book of Discipline be formally adhered to, and that it is not my purpose to make any further concession.

I am, &c. ALBERT BARNES.

Rev. George Junkin, D. D.

MODERATOR. What notice is to be taken of these papers?

Dr. CUYLER. I understand this as forming a part of the testimony.

MODERATOR. Let it be recorded in the minutes, that a letter from Mr. Barnes, admitting himself to be the author of the Notes on the Romans, was produced and read.

The next step is to hear the original parties.

[Synod here took a recess.]

After recess, Synod again met.

Moderator. Are the original parties in this cause both ready to be heard?

Dr. Junkin. The appellant is ready.

Moderator. Is the appellee ready?

(No answer being given,)

Will Synod issue a citation for Mr. Barnes?

Mr. Winchester. I move that he be cited to appear. Let him have a fair chance for justice.

Dr. M'Dowell. I should like some brother to point out a clause in our book, which either expressly, or by implication, authorises such a step at the present stage of the trial, after the accused has put in his appeal and complaint to the General Assembly. If it is in the book, I should like to know where.

Moderator. It is competent to the Synod to issue a citation at *any* stage of the trial.

Dr. Cuyler. A citation is unnecessary, unless there be an express law requiring it. Mr. Barnes has laid in a declaration, rejecting the jurisdiction of the court: a citation would be wholly useless.

Dr. M'Dowell. I suppose the regular course will be, to hear the appellant first; then, when he is through, call on Mr. Barnes to reply. If he is silent, you then proceed as if he had replied.

Moderator. The Moderator has thought it proper to call on the parties to say if they are ready.

Dr. Green. I suppose we are to dispose of the several charges against Mr. Barnes *seriatim*. When the appellant shall have gone through his first charge, the appellee is to have an opportunity to respond; and he must respond then, or never; for we are to vote on the charges in order, and say whether they have been sustained or not. I think the most orderly course is to cite him. The book directs that repeated citations should issue in similar cases: and if Mr. Barnes disobeys the citation, we have then done what we could.

Dr. Cathcart. Will our citation be constitutional, unless we allow him a certain time?

Mr. Wynkoop. Suppose he is not to be found? or that he pleads that circumstances have detained him from appearing? If you cite him, it will show that you admit a citation to have been necessary; and if so, you should have cited, before you read the testimony.

Dr. M'Dowell. If this citation is intended to prepare the way for dealing with Mr. Barnes as contumacious, then here is a new crime charged, and he has had no notice of the charge. You can't do it: unless you allow him ten days on the first citation; and this will be the first. You have as much right now to go on, as you ever will have.

Mr. R. BRECKINRIDGE. This motion is not mine; and I have but little to say upon it. I am not zealous in favor of the citation; nor am I opposed to it; either course will be orderly. We do not keep in mind the distinction forced on us by the difficulties which have been continually thrown across our path. We may hear Dr. Junkin, and be indifferent whether Mr. Barnes is present or absent: or we may notify him, that unless he appears and responds, we shall proceed without him: or we may give him notice to show cause why a citation should not issue. It is amusing to one who is familiar with the technicalities of judicial proceedings, to see those attempt to be very technical, who know nothing about the matter. The best course for such a body as this is to pursue the plain course of common sense, and not meddle with technicalities at all, unless we have studied the whole system. Those who have studied the niceties of form, very well know that in ninety-nine cases out of a hundred, a judicatory pursuing a straightforward, common sense course, will, without knowing it, have hit upon the very path to which they would have been led by the most refined and subtle technical rules. But if you embarrass yourselves, by going partly by common sense and partly by technical rules, you will be sure to go wrong. Proceed either by the one, or by the other; but don't attempt to mix them up together. In ordinary cases, if a man goes to an upright magistrate, who knows nothing of the science of law, he has a good chance of getting his case properly decided. But if he gets a half bred country lawyer, who makes a great display of legal niceties, he is likely to get the very worst decision the world can furnish. The honest magistrate, with such a guide, is in a likely way to get 99 out of 100 of his decisions reversed. Now in this case, what says common sense? Why it says, first hear one of the parties, and then hear the other; and then proceed to give judgment. First see if both parties are present; if one is not, then you can decide whether you will deal with him. One thing is certain: there is a settled determination in this body to do something with this case. I am pledged to settle it, in some way. I am ready to acquiesce in either of the various methods which have been proposed. I am willing that both the parties should be called upon: if Mr. Barnes does not appear, you may either go on without him; or you may arrest the trial, and go against him for contumacy; or you may proceed with the cause and decide it, and then deal with him for contumacy. Your resources are abundant. Dr. M'Dowell asked for a passage from our book; if he will turn to chap. iv. sections 11 and 12, he will find the following: "Although on the first citation, the

person cited shall declare in writing, or otherwise, his fixed determination not to obey it; this declaration shall in no case induce the judicatory to deviate from the regular course prescribed for citations. They shall proceed as if no such declaration had been made. The person cited may afterward alter his mind. 12 The time which must elapse between the *first* citation of an accused person or of a witness, and the meeting of the judicatory at which he is to appear, is at least ten days. But the time allotted for his appearance on the *subsequent* citation, is *left to the discretion of the judicatory:* provided always, however, that it be not less than is quite sufficient for a seasonable and convenient compliance with the citation."

Now if, in the beginning of a cause, the judicatory is to proceed in an orderly way, even though the accused shall say he will pursue a disorderly course, *a fortiori*, is it right to do the same in a farther stage of the proceedings, although the accused might have said that he rejected the authority of the court. The reason holding, the rule holds. The other passage I read, directs, that though on the first citation the accused must have ten days, yet on the second, the time is left to the discretion of the judicatory. If he shall be now cited, this part of the rule will apply: for his first citation issued long since, in the court below. If Mr. Barnes is in the town, Synod can judge about the length of time it will be proper to allow. The due and necessary time is for the court to judge of. The exact meaning of the term "*reasonable*," as applied to time, has never been settled by any court. You must decide that for yourselves. The case is clear and open; and it does appear to me that the best course will be to let the cause go on. Hear Dr. Junkin: then hear Mr. Barnes, or know certainly, after a citation, that he will not appear. Then call the Presbytery: hear it: or know certainly that it will not come. Then appoint a committee to report heresy, or no heresy: and then say what shall be done with Mr. Barnes. Then take up Mr. Barnes and the Presbytery for contumacy, and do what is right with both. This seems to me to be the plain course of your duty.

MODERATOR. The question is, shall Mr. Barnes now be cited to appear?

DR. J. BRECKINRIDGE. A brother has said that this is not the time for a citation: it appears to me that it is, and that the citation ought to issue. I have hoped against hope that brother Barnes and the Presbytery will both yield to the citation of this Synod. I think, in the mean while, Dr. Junkin ought to be heard. You have taken your ground: you have resolved to proceed with the trial, and the appellant

has begun: let him be heard, either on each charge, or through the whole series; and then let brother Barnes be called on to reply.

The question on citing Mr. Barnes was now put, and decided in the negative.

MODERATOR. Shall the reply be to each charge, in order? or shall it be to the whole?

Dr. CUYLER. I move that Dr. Junkin be heard once in chief: but let the Synod, in deciding, take up the charges *seriatim*.

Dr. JUNKIN said he had a severe cold, and that a laborious and continued progress through the whole list of charges, without intervals of rest, would be impracticable. He said he should like to know whether there was to be any reply; because if there was to be none, he would epitomize, and curtail the exposition of the charges very much. He also wanted to know whether, if a reply should be made, he would have the right of rejoinder?

Mr. M'CALLA moved that this right be granted him, and Dr. Cathcart, Dr. Breckinridge, and Dr. Cuyler supported the motion.

Mr. WINCHESTER. Does the constitution give Dr. Junkin this right? That is a point which has been disputed.

The question was not decided: but it was agreed that the parties be now heard in chief. Whereupon Dr. Junkin addressed the court as follows:

The first general remark I have to make, relates to the manner in which I speak. It has been frequently inferred from the fact of my volunteering to become the prosecutor in this cause, that I have a strong prejudice against the party accused: and in a large promiscuous assembly, such as this, there are, no doubt, many persons who seldom have had the opportunity of witnessing the proceedings of deliberative bodies, and who do not consider, as they should do, the peculiarities of manner which often characterize those who conduct these proceedings. By such persons I have often been misunderstood, and have been supposed to be speaking under great excitement, and from a very bad state of feeling, when, in truth, there was nothing of it. Those who know me, know that I am in the habit of throwing much force into my voice whenever I speak in public, and that I always speak with much apparent feeling in my manner: and in truth I cannot bear to hear any man speak on a subject of great intrinsic importance, and yet appear to take no interest in it. It is not to be inferred, and I hope will not be, from the fact of the speaker's raising his voice, and evincing occasionally much warmth of manner, that he is in a passion. If such an inference shall be drawn, it will be done very unjustly. I pray therefore the Synod, if

there shall appear any excitement in my discussion of these charges, to consider my peculiar habits and training. Dr. Darrach of Philadelphia, cautioned me on this subject. He told me I had two voices: one of them natural in its tone; but that when I became excited, I had another voice, which sometimes amounted to a perfect squeal. [a laugh] I am aware of the fact: it is my misfortune. I left my home with a bad cold, which I have since greatly increased; and this I fear will aggravate the evil.

In the second place I remark that the object of this prosecution has already been stated: it was to secure union in the truth; and thereby to secure union in action, and put an end to the dissensions which so much afflict us. For it will, I trust be made to appear that the innovations of doctrine introduced into the bounds of the Synod of Philadelphia, have been the great leading cause of all that distraction in our counsels, and that excitement of personal feeling which has so long agitated us all. When those doctrines were first introduced among us, the members of the Presbytery of Philadelphia, and of the Synod of Philadelphia were Philadelphians; there were no distractions, no diversities of sentiment, which have of late risen to such a height as to disturb the peace of the church, and even to attract the public eye. I was for several years connected personally with the Presbytery of Philadelphia; and when the strife began I was obliged, from my position, to mingle in it. All that strife grew out of the doctrines taught in this Book; it existed indeed before the Book was published, but never till these doctrines made their appearance amongst us. I afterwards retired from the bounds of the Presbytery, but the same difficulties had already preceded me. I was thrown into connexion with an Institution for Education which stood greatly in need of pecuniary aid; but in making an effort to obtain it, I found the christian community, especially in Philadelphia, in such a state of feeling that neither side was disposed to aid it. The energies of the church were completely paralysed by these very difficulties, and I soon became convinced that the contentions never could be allayed successfully, or permanently, but by settling the disputed doctrines which lay at the root of the whole. Some brethren asked me whether there could not be effected an amalgamation of the two Boards of Education: (that of the Assembly, and that of the Presbyterian Education Society.) I replied that this might easily be done, if the doctrinal difficulties could be removed; for there was the source of all the evil. When this Book of Mr. Barnes appeared, it struck me that a door was now opened, and a most favorable opportunity presented, to cut out a decision of

purely doctrinal points, apart, entirely, from all local circumstances of strife which had heretofore always been mixed up with them. I believed that if one from a distance, wholly separated from the litigants, might come in, and bring up the great doctrinal questions in a specific shape, so as to have a decision on them alone, he would render an important service to the cause of truth; and might, under the divine blessing, be an instrument of settling the questions in controversy, and thereby restoring the church to a state of peace and union, and of arraying her in the beauty and glory of her true character. This is the object and the sole object of the present prosecution. It has nothing to do with any unkind feeling toward the accused. I trust the whole course of the proceeding will show that nothing like persecution has been intended, or practised. Certainly there has been nothing to deserve that name, thus far. There exists, I am sure, no such feeling in this Body. On my own part there had long been a growing attachment to the brother accused: I have long felt a kindling of love in my bosom toward him; and I can truly say, that since this business first commenced, my devotional feelings so far from having been impaired or chilled, have rather been augmented; nor have my supplications for any man been more ardent, or more frequent, than for that brother.

In the third place, our ministerial responsibility, the responsibility of every one of us, in this matter, is of fearful weight and magnitude. Our labors are of such a character as to fill the soul with awe and trembling, and constrain us to say, "Who is sufficient for these things?" I knew something, as well I trust of the joys as of the sorrows and burdens of the ministry, when I assumed the charge, and when I heard addressed to me these solemn words of the Great Master, "Take heed to thyself and to thy doctrine, that thou mayest save thyself and them that hear thee." In view of this responsibility it has been asked why, when a christian pastor is laboriously engaged in feeding the flock committed to him by the great Shepherd, and trying most diligently, by all means within his power, to advance the cause of piety in the world, why lay such a burden on him as is imposed by this prosecution? My answer has been already given. Let it not be alleged that this step was unnecessary. Truths of vital interest to the cause of christianity are here at stake. On this part of the subject I will refer to a passage which was quoted before the Presbytery with great applause, from the writings of the late Rev. Dr. Wilson, of the first Presbyterian church in Philadelphia, in a note of his upon Ridgetey's Body of Divinity, p. 86.

To impute, signifies in general, to *charge*, *reckon*, or *place*

to account, according to the different objects to which it is applied. This word, like many others, has a *proper*, and an *improper*, or figurative meaning.

First: It is applied to the *charging*, *reckoning*, or *placing to the account* of persons and things, THAT WHICH PROPERLY BELONGS TO THEM. This I consider as its *proper* meaning. In this sense the word is used in the following passages: "Eli *thought* she (Hannah) had been drunken—Hanan and Mattaniah, the treasurers, were *counted* faithful—Let a man so *account* of us as the ministers of Christ, and stewards of the mysteries of God—Let such an one *think* this, that such as we are in word by letters when we are absent, such will we be also indeed when we are present—I *reckon* that the sufferings of this present time are not worthy to be compared with the glory that shall be revealed in us." Reckoning or accounting, in the above instances, is no other than judging of persons and things *according to what they are, or appear to be.* To impute sin in this sense is to charge guilt upon the guilty in a judicial way, or with a view to punishment. Thus Shimei besought David that his iniquity might *not be imputed to him*; thus the man is pronounced blessed to whom the Lord *imputeth not iniquity:* and thus Paul prayed that the sin of those who deserted him might *not be laid to their charge.*

In this sense the term is ordinarily used in common life. To impute treason or any other crime to a man, is the same thing as charging him with having committed it, and with a view to his being punished.

Secondly: It is applied to the *charging*, *reckoning*, or *placing to the account* of persons and things, THAT WHICH DOES NOT PROPERLY BELONG TO THEM, AS THOUGH IT DID. This I consider as its *improper* or figurative meaning. In this sense the word is used in the following passages—"And this your heave-offering shall be *reckoned* unto you *as though it were* the corn of the threshing floor and as the fulness of the winepress—Where ore hidest thou thy face, and *holdest* me for thine enemy—If the uncircumcision keep the righteousness of the law, shall not his uncircumcision be *counted* for circumcision—If he hath wronged thee, or oweth thee aught, *put that on mine account.*"

It is in this *latter* sense that I understand the term when applied to justification. "Abraham believed God, and it was *counted* unto him for righteousness—To him that worketh not, but believeth on him that justifieth the ungodly, his faith is *counted* for righteousness." The counting, or reckoning, in these instances, is not a judging of things *as they are*, but *as they are not*, *as though they were.* I do not think that faith here means the righteousness of the Messiah: for it is expressly called "believing." It means believing, however, not as a virtuous exercise of the mind which God consented to accept instead of perfect obedience, but *as having respect to the promised Messiah*, and so to his righteousness as the ground of acceptance. Justification is ascribed to faith as a healing frequently is in the New Testament; not as that from which the *virtue* proceeds, but as that which *receives* from the Savior's fulness.

But if it were allowed that faith in these passages really means the object believed in, still this was not Abraham's

own righteousness, and could be properly *counted* by him who judges of things as they are, as being so. It was *reckoned* unto him *as if it were* his: and the effects or benefits of it were actually imparted to him: but this was all. Abraham did not become meritorious, or cease to be unworthy.

"What is it to place our righteousness in the obedience of Christ, (says Calvin) but to affirm that hereby only are we *accounted* righteous; because the obedience of Christ is imputed to us AS IF IT WERE OUR OWN."

It is thus also that I understand the imputation of sin to Christ. He was accounted in the divine administration *as if he were, or had been* the sinner, that those who believe in him might be accounted *as if they were, or had been* righteous.

I have quoted this passage in order to show that the doctrine of IMPUTATION is one of the deepest importance. He who touches it, shakes the foundation of a sinner's hope. The expressions here used by Dr. Wilson nearly coincide with those I employed in my letter to Mr. Barnes. I told him that in advancing and promulgating the sentiments in this book, he shook my own hope for eternity, and that if what he taught was true, I could no longer "read my title clear to mansions in the skies." I think it will appear before we have done, that this doctrine of imputation does, in effect, constitute the very essence of the gospel. Yet Mr. Barnes does deny the imputation of Adam's guilt to us, and of ours to Christ. The doctrine of the covenants is rejected: and the sinner's justification is rested on God's sovereignty alone, and not on any legal ground. Now I here profess that if the vicarious sufferings of Christ and the legal imputation of his sufferings and righteousness are taken from under my feet, my hope is gone: I cannot "read my title clear to mansions in the skies." There is no title in the matter. If the vicarious sufferings and obedience of the Savior are not truly, properly, and legally *imputed* to his people, so as to constitute their title to heaven, there is no title in it: for that is the title. In support of this view I refer the Synod to the Biblical Repertory, where the very same idea is expressed. I cannot now quote the passage, because I have not the book here. I have, however, the quotations marked, for I did anxiously wish that the cause might not be issued here.

Fourthly, The accused, will, of course, hear things said of his book and his opinions which cannot be pleasant to the feelings of an author. This cannot be avoided. And I know, and we all feel, that no man can stand by and see the child of his bosom abused and his bosom be unmoved and indifferent. It cannot be. There is a *storgee*, a yearning of the heart over our own offspring, which cannot be suppressed, whenever we think they are misused. And I know not, to a man who has acquired fame by

his writings, a man of high talent and of the concomitant high feeling which belongs to it, which is greater, his parental feeling for his book, or for his child. The accused will certainly have to hear what cannot but be exceedingly unpleasant. I am happy, however, in being able to say that when the same things were in substance uttered before the Presbytery, they were listened to on his part with all patience and magnanimity. We had there nothing to complain of. In fact it was one of the most delightful weeks (and the trial lasted a week) that I ever passed: a season of the very highest enjoyment.

As to the reasons for the appeal, I am at some loss how to proceed. I believe the best way will be to leave that to the court itself. They may, in part, be included in the case at issue between the original parties. They are all, in fact, charges against the court. But I pass over these. So far as relates to the original parties, an examination of the testimony will show the reasons of the appeal.

I have now one general remark to make in reference to the charges as here brought by me against Mr. Barnes. They are systematic in their order and connexion. It was alleged at the trial in the court below, that they exhibited marks of haste and want of systematic arrangement: but this is a mistake. When I prepared them, I first took Mr. Barnes's book, and noted, as I went on, what I deemed exceptionable. I afterwards arranged these exceptions in classes, in separate columns; and as I proceeded and collected the whole, I found them to form a complete system of doctrine, a regular system of error. Just as there is a regular system in truth. The great outlines of the system contained in our Confession of Faith, may be summed up in a few words. It teaches the fact that man transgressed the law of God; that he did it as a covenant head, and that his act extended to his posterity. As soon as he sinned, guilt lay on the transgressor himself, and, according to the principles of representation, the same guilt extended to all whom he represented. Adam was the moral head of his race, and all his members were identified with him. Jesus Christ is the second Adam. He stood as the Head of another great moral body, and his obedience and suffering bring his race, in like manner, under the justifying sentence of the law and make them righteous by imputation. This is our system. But the system in this book denies imputation, denies that Adam's posterity are liable to punishment for his sin: they must be sinners themselves, before they are liable to any evil as a punishment. So that both Adam and Christ stand alone. The righteousness of this second Adam is not imputed to his seed, any more than Adam's offence to

his seed. Christ did not bear the legal consequences of their sin—he was not, legally speaking, punished for them. This is the system taught in this book. There are some incipient charges of smaller comparative consequence; and if abstracted from the rest and considered in themselves alone, would not be satisfactory proof of heretical opinion: yet when taken as parts of the evidence together with the others, they form a connected chain of evidence, which increases as we advance. One position implies another, and the consequences then follow. So, in viewing some of these charges, they may appear of little comparative consequence, until we regard their relation to the entire system. I am now ready to proceed with the charges themselves, and there are three questions to be asked on each, viz: 1. Are the words, alleged to contain error, in the book? not whether they do contain truth or falsehood: but are they there? 2. Are they consistent with the Confession of Faith? And 3. Are they consistent with the Bible?

Charge I.

Mr. Barnes teaches "that all sin consists in voluntary action."

The first passage I shall quote in proof of this charge is from Mr. Barnes's Notes on the Romans.

P. 249. "In all this, and in all other sin, man is voluntary."

Here is language too plain to be misunderstood or explained away: it affirms the very point to be proved.

My next proof is from page 123 of the same work:

"There is no reason to believe that they [men] are *condemned* to eternal death, or held to be guilty of his sin [meaning Adam's sin] without participation, of their own, or without personal sin, any more than that they are approved by the work of Christ, or held to be personally deserving, without embracing his offer, and receiving him as a Savior."

Here is a distinct denial of men's liability to punishment until actual sin shall occur: and here is the argument for it: action in the one case is as necessary as action in the other: so that if there is no actual sin, there is no liability to punishment, no exposedness to eternal death, no punishment, no condemnation. Before any thing of this, there must be voluntary personal action.

The argument of the above quotation is borrowed from Pelagius—not indeed, I suppose, immediately, but really. It is his precise argument, and how nearly in his words you shall judge. Pelagius says:

"If Adam's sin hurt those who are not guilty, the righteousness of Christ profits those who believe not."—*Milner* ii. 370.

The only difference between this argument and Br. Barnes's, is, that it is more pointed and pithy, because less burdened with verbiage. It is the same precise argument. Now, ought not a Presbyterian minister to be alarmed, when he finds himself inadvertently (if it so be) using the same argument with an acknowledged heretic, and for the same purpose? Can any thing possibly prove more conclusively unity of doctrine? But I have more of the same:

"How can a man be considered guilty by God of that sin which he knows not to be his own? for if it is necessary, it is not his own; but if it is his own, it is voluntary; and if voluntary, it can be avoided."—*Pelagius*, as quoted, Bib. Rep. vol. ii. p. 102.

My third proof is from page 192 of the same work:

P. 192. "'They [Jacob and Esau] had *done* nothing good or bad, and where that is the case there can be no character, for character is the result of conduct.

(2) That the period of moral agency had not yet commenced."

Here was no moral action, and therefore no sin. The *doing*, the voluntary agency is necessary to character. Prior to this there is no sin to expose to punishment. When this voluntary action occurs, it will be, he admits, sinful; and then, but not until then, are they sinners.

My fourth proof is from page 124.

P. 124. "As the work of Christ does not benefit the race unless it is embraced, so does not the reasoning of the Apostle lead us to the conclusion, that the deed of Adam does not condemn, unless there be some voluntary act on the part of each individual?"

This is almost the language of the charge itself. One of these forms of expression conveys the meaning of the author in the very strongest manner, whether negative or positive.

"If Adam's sin hurt those who are not guilty, the righteousness of Christ profits those who believe not."

I have placed these last two quotations in juxtaposition, that their substantial identity might be seen at a glance. The righteousness of Christ does not profit the sinner, until he believes, says Mr. B., therefore the sin of Adam does not hurt the sinner until he voluntarily transgresses. The doctrine of both is, that there is no liability to penal evil, but in consequence of voluntary action; and "previously to moral agency, there is nothing in man [nothing moral—no moral character] but that which God created in him."—*Pelagius*, Bib. Rep. ii. 105. Again:

"Children, inasmuch as they are children, never can be guilty, until they have done something by their own proper will."—*Julian*, an intimate friend of Pelagius, and advocate of his doctrines, as quoted Bib. Rep. ii. 103.

My fifth proof is from p. 118.

P. 118. "Men will not be held guilty, unless there is a law which binds them, of which they are apprised, and which they voluntarily transgress."

On this point I refer the Synod to the Biblical Repertory, 2d vol. page 163.

Julian, in his last work against Augustine, charges this father with holding, "that infants were oppressed with the guilt of no sin of their own, but only with that of another person." Again he says, "whoever is accused of a crime, the charge is made against his conduct and not against his birth." * * * And again: "Children, inasmuch as they are children, never can be guilty until they have done something by their own proper will."—*Bib. Rep.* vol. ii. p. 103.

I add here, to avoid misapprehension, the general remark: that it is not necessary to identify Mr. B.'s sentiments with all those of Pelagius, so far as I have accused him of maintaining Pelagianism. I quote this to show that he has set his foot on Pelagian ground, and that if he holds it, he must go onward. He cannot stay there. He is in danger of falling into other cognate errors. I hold up his error in this point as a beacon of warning before his eyes. It is not to practice what has been denominated the *odium theologicum:* no: but it is to warn my brother of where he is going. I do not charge brother Barnes with being, as yet, a Pelagian, but I say that he holds a doctrine which is the basis of the system of Pelagius. I know that brother Barnes is very far from being a Pelagian in many points; but on this point, he and Pelagius exactly coincide; they hold the self-same doctrine, and support it by the same argument.

We have now proved that the doctrine charged is contained in the language of the book, and have shown the coincidence of this original position with a scion of error which spread desolation over the church of God.

And now to compare this with the language of our standards.

Confession of Faith, chap. vi. 5. "This corruption of nature, during this life, doth remain in those that are regenerated; and although it be through Christ pardoned and mortified, yet *both itself*, and all the *motions thereof are truly and properly sin*." 6. "Every sin, both original and actual, being a transgression of the righteous law of God, and contrary thereunto, doth, in its own nature, bring guilt upon the sinner, whereby he is bound over to the wrath of God and curse of the law, and so made subject to death, with all miseries, spiritual, temporal, and eternal."

Larger Cat. Ques. 27. "We are by nature children of wrath, bond-slaves to satan, and justly liable to all punishments, in this world and that which is to come."

Shorter Cat. 19. "All mankind by their fall lost communion with God, are under his wrath and curse, and so made liable to all the miseries of this life, to death itself and to the pains of hell forever."

On these a remark or two: 1. This corruption of nature is of *itself* sin, "as well as all the motions thereof." 2. This corruption of nature which is sin, doth in its own nature bring guilt upon the sinner. It is not said his voluntary action alone brings guilt, but their fall placed them under his wrath and curse, and exposed them to death and hell forever. No! says Mr. B., all mankind are not under his wrath and curse by their fall; they must first act voluntarily, and then, but not till then, are they liable to the pains of hell.

Confession of Faith, chap. x. sec. 1. All those whom God hath predestinated unto life and those only, he is pleased, in his appointed and accepted time, effectually to call by his word and Spirit, out of that state of sin and death in which they are by nature, to grace and salvation by Jesus Christ; enlightening their minds spiritually, and savingly to understand the things of God, taking away their heart of stone, and giving unto them an heart of flesh, renewing their wills and by his almighty power determining them to that which is good, and effectually drawing to Jesus Christ; yet so as they come most freely, being made willing by his grace.

This shows that all whom God has predestinated he calls: and that such as committed no voluntary sin, and yet are saved, were under a sentence of death, and if saved, are saved from sin: and if so, then all sin does not consist in voluntary action.

I will now quote a few scripture proofs, and leave this branch of the charge.

Eph. ii. 3. "And were by nature the children of wrath."

Rom. iii. 19. "that all the world may become guilty before God."

Psalm li. 5. "I was shapen in iniquity, and in sin did my mother conceive me."

These passages cannot be turned aside. They prove incontestably that man is a sinner, independent of and prior to his voluntary action.

This is one item of the system taught in this book: and it will be necessary to touch again the same points hereafter.

I will now take up the second charge.

Charge II.

Mr. Barnes teaches "that Adam (before and after his fall) was ignorant of his moral relations to such a degree, that he did not know the consequences of his sin would or should reach any further than to natural death."

Under this charge my proof is a note on p. 115.

Proof I. Note p. 115. "If an inquiry be made here, how Adam would understand this, (the threatening of death.) I reply that we have no reason to think he would understand it as referring to any thing more than the loss of life as an expression of the displeasure of God. Moses does not intimate that he was learned in the nature of laws and penalties and his narrative would lead us to suppose that this was all

that would occur to Adam. And indeed there is the highest evidence the case admits of, that this was his understanding of it. For in the account of the *infliction* of the penalty, *after* the law was violated, in God's own interpretation of it, in Gen. iii. 19, there is still *no* reference to any thing further. "Dust thou art and unto dust thou shalt return." Now it is incredible that Adam should have understood this as referring to what has been called "spiritual death," and to "eternal death," when neither in the threatening, nor in the account of the infliction of the sentence, is there the slightest recorded reference to it. Men have done great injury in the cause of correct interpretation, by carrying their notions of doctrinal subjects to the explanation of words and phrases in the Old Testament. They have usually described Adam as endowed with all the refinement, and possessed of all the knowledge, and adorned with all the metaphysical acumen and subtlety of a modern theologian. They have deemed him qualified, in the very infancy of the world, to understand and discuss questions which, under all the light of the christian revelation, still perplex and embarrass the human mind. After these accounts of the endowments of Adam, which occupy so large a space in the books of theology, one is surprised, on opening the Bible, to find how unlike all this is to the simple statement in Genesis. And the wonder cannot be suppressed that men should describe the obvious *infancy* of the race as superior to its highest advancement; or that the *first* man, just created, just looking upon a world of wonders, unacquainted with law, and moral relations, and the effect of transgression, should be represented as endowed with knowledge which four thousand years afterwards it required the advent of the Son of God to communicate."

Adam is here represented as being ignorant of law and of moral obligation. This, however, it is said, is a matter of small concern, for though it represents our first parent as of full growth, yet mentally ignorant, nothing, in fact, but a large infant, feeling his way to the knowledge of every thing, at least of moral obligation. Yet it is asked, what harm is there in all this? The Presbytery, in their act, explain it as meaning that Adam did not possess all the learning which the Rabbins imputed to him: admitted; but here is an affirmation that he was ignorant of law and of moral relations.

I wish here to observe that no "charge of heresy is based" on this passage, or ever was. On the contrary, I stated and now state, that in itself considered it is a small matter, and acquires the little importance I attach to it, simply from its connexion with and preparation for others of great importance. If Adam was "ignorant of law and moral relations"—if he was a large baby, thrown into a strange world, without being endowed by his Creator with knowledge, but in an extremely limited degree—if he knew nothing about any kind of death, but that of the body, and must so understand the threatening—then of course there was no covenant made with him. He

could know nothing about terms of a covenant—a covenant of works, there could not possibly be. This is why this charge is placed here. It is a link in the chain of error—a preparatory step to a direct denial of the covenant. And so I doubt not it was designed. To this the writer has reference when he complains of men "carrying their notions of doctrinal subjects to the explanation of words and phrases in the Old Testament." This is the key to the whole paragraph and explains why the writer has collected a series of silly notions, in order to ridicule the idea of Adam's knowledge being adequate to understand the nature of a covenant and of spiritual and eternal death.

To show how inconsistent the extract I have quoted is with the Bible and the Confession of Faith, I refer you to the following passages:

Conf. ch. iv. 2. "After God had made all other creatures, he made man, male and female, with reasonable and immortal souls, endued with knowledge, righteousness and true holiness, after his own image, having the law of God written in their hearts."

Larg. Cat. 17. To the same effect. So God afforded man "in the estate in which he was created," "communion with himself, instituting the Sabbath, entering into a covenant of life with him, upon condition of personal, perfect, and perpetual obedience, of which the tree of life was a pledge." And 22. "The covenant being made with Adam," &c., and the Shorter Catechism 12. "When God had created man, he entered into a covenant of life with him," &c.

Here merely is a representation very different indeed from the position that Adam was ignorant of law and of moral relations.

I would direct the attention of the Synod to the manner in which Mr. Barnes refers to God's sentence upon Adam, "dust thou art, and unto dust shalt thou return." He calls this the infliction of a penalty upon Adam. But how Adam learned from this the nature of natural death, which he did not experience till near a thousand years afterwards, I do not see. When he suffered it, in his own person, he knew; but the Bible represents Adam as feeling the paralyzing effect of moral death as soon as he sinned. Hence he endeavored to hide himself from the presence of the Almighty: which argued a deficiency of knowledge, alienation of affection, suspicion, and a sense of guilt, a suspension of communion with his Maker. Yet this book would persuade us that Adam knew nothing of the nature of spiritual death from the threatening. I have only this additional remark to make: Adam, according to our Confession and the Holy Scriptures, was created in the image of God, in righteousness, *knowledge*, and true holiness. Yet Mr. Barnes affirms that he was ignorant of law, and of moral relations!

What say the Scriptures?

Gen. i. 27: "God created man in his own image."

What was this image?

Col. iii. 10: "And have put on the new man which is renewed in knowledge, after the image of him that created him."

Clearly then the image of God, in which Adam was created, consisted in *knowledge;* whatever else it included, this was a leading feature of it.

Rom. ii. 15: "Which shew the work of the law written in their hearts."

What is it that shews? Why, the law of nature as contradistinguished from the revealed law given to the Jews. When was that law impressed upon the human heart? Undoubtedly at its first creation, and what remains upon the Gentile conscience is a debased relic.

Gen. ii. 16, 17. "And the Lord God commanded the man, saying, Of every tree," &c.

This reveals to us the covenant of works; but I waive, until we come to that more directly, all remark upon it. If such a transaction as our Confession represents, ever did take place, then this imputation of ignorance to Adam is as unscriptural as it is unbecoming the wisest of his sons.

Charge III.

My third charge is, that Mr. Barnes teaches:

"That unregenerate men are able to keep the commandments and convert themselves to God."

Proof 1, 164. "*The carnal mind.* This is the same expression as occurs in verse 6, (to phronema tes sarkos.) It does not mean the mind itself, the intellect, or the will; it does not suppose that the mind or the soul is *physically* depraved, or opposed to God; but it means that the *minding of the things of the flesh*, giving to them supreme attention, is hostility to God." "*For it*"—The word (it) here refers to the minding of the things of the flesh. It does not mean that the soul *itself* is not subject to his law, but that the *minding* of those things is hostile to his law. The Apostle does not express any opinion about the metaphysical ability of man, or discuss that question at all. The amount of his affirmation is simply, that the *minding of the flesh*, the supreme attention to its dictates and desires, is not and cannot be subject to the laws of God. They are wholly contradictory and irreconcileable, just as much as the love of falsehood is inconsistent with the laws of truth; as intemperance is inconsistent with the laws of temperance; and as adultery is a violation of the seventh commandment. But whether the *man himself* might not obey the law; whether he has or has not ability to do it—is a question which the apostle does not touch, and on which this passage should not be adduced. For whether the law of a particular sin is utterly irreconcileable with an opposite virtue, and whether the sinner is able to abandon that sin, and pursue a different path, are very different enquiries.

Is not subject.—It is not in subjection to the command of God. The minding of the flesh is opposed to that law, and thus shows that it is hostile to God.

Neither indeed can be.—This is absolute and certain. It is impossible that it should be. There is the utmost inability in regard to it. The things are utterly irreconcilable. But the affirmation does not mean that the *heart* of the sinner might not be subject to God: or that his *soul* is so physically depraved that he cannot obey, or that *he* might not obey the law.

165. 8. *So then*—It follows, it leads to this conclusion.

They that are in the flesh. They who are unrenewed sinners, who are following supremely the desires of the flesh. Chap. viii. 18 Those are meant here who follow fleshly appetites, and desires, and who are not led by the Spirit of God.

Cannot please God.—That is, while they are thus in the flesh, while they thus pursue the desires of a corrupt nature, they cannot please God. But this affirms nothing respecting their ability to turn from this course, and pursue a different mode of life. That is a different question. A child may be obstinate, proud, and disobedient; and *while in this state*, it may be affirmed of him, that he cannot please his parent. But whether he might not cease to be obstinate, and become obedient, is a very different inquiry, and the two subjects should never be confounded.*** He (the sinner) is engaged in hostility against God; and if he does not himself forsake it, it will be endless, and involve his soul in all the evils of a personal, and direct, and eternal warfare with the Lord Almighty."** The Holy Spirit is often represented as dwelling in the hearts of Christians; and the meaning is not that there is a *personal* or *physical* indwelling of the Holy Ghost, but that he influences, directs, and guides Christians, producing meekness, love, joy, peace, long-suffering, gentleness, goodness, &c. The expression *to dwell in* one, denotes intimacy of connexion, and means that those things which are the fruits of the Spirit, are produced in the heart."

Proof 2, p. 108. "*We were yet without strength.* "The word here used (asthenoon) is usually applied to those who are sick and feeble, deprived of strength by disease. Matt. xxx. 38; Luke x. 9; Acts iv. 9, v. 15. But it is also used in a *moral* sense to denote inability or feebleness with regard to any undertaking or duty. Here it means that they were without strength in *regard to the case which the Apostle was considering*; that is, we had no power to devise a scheme of justification, to make an atonement, or to put away the wrath of God, &c. While all hope of man's being saved by any plan of his own, was then taken away; while he was thus lying exposed to divine justice, and dependent on the mere mercy of God; God provided a plan which met the case, and secured his salvation. The remark of the apostle here has reference *only* to the condition of the case *before* the atonement was made. It does not pertain to the question, whether man has strength to repent and believe, now that the atonement is made, which is a very different inquiry."

Before proceeding in the matter of this charge, allow me three observations: 1. It is possible to teach error by denying the truth—to take away sound doctrine *positively*, by a series of detail in the *negative*. ex gr. Certain texts of scripture, say twenty in number, have been depended on to prove the doctrine of

the trinity. I wish to reject that doctrine and yet do not feel it to be prudent to do it openly. It may be done more successfully and safely, by denying in the detail, that it is taught in any of these passages. I put a gloss upon the passage which contains a history of Christ's baptism, and conclude by saying, whatever may be the truth or falsehood, of the doctrine of the trinity, it is not taught *here*. I take up the words used at baptism, "in the name of the Father &c," and gloss over and conclude, that doctrine has no foundation *here*. And so throughout the whole. Have I not really denied the doctrine of the trinity? And yet I have not in any one instance said, 'It is not true—it is not taught in the Bible.' Is there a more effectual mode of attacking truth than this partizan war; than this slow method of insulated assault?

But then it will be said in reply, "I have only removed certain texts which have been usually supposed to prove the doctrine of the sinner's inability," there are yet scores of others left. Very true, but the same process may take away the rest. Now my position is, that when a writer displays a disposition to take away the scripture props from any doctrine, it is evident he dislikes the doctrine itself. Just so, the labor expended in the above, to evince that the doctrine of man's inability is not taught in these passages of scripture evinces a dislike to it and I question the possibility of any intelligent man's reading them carefully over, without imbibing the conviction, from the moral evidence in them, that their writer was an advocate of human ability. And yet,

2. This is the only charge in which I have felt any hesitancy, as to the adequacy of the proof—not of course, as to the reality and verity of the case, (for I have no doubt Br. B. holds the common doctrine of human ability as found in the East) but as to the possibility of giving it tangible form.

3. Nothing is set forth in this charge but the doctrine that men are able to make them new hearts and to live accordingly. It is assumed as an obvious truth, that if men are able to come unto God, in the first instance, they are able to live in him.

Now on the comment itself, (1) Mr. B. admits that the phrase, "they that are in the flesh," means "They who are unrenewed sinners"—unregenerate men.

(2) He admits, that, "*while* they are in this state, they cannot please God." "But"—what? they can change their state—if they choose, they can come out of it—"But this affirms nothing respecting their ability to turn from this course and to pursue a different mode of life." Now Mr. Moderator I affirm the plain meaning of this language to be, "that unre-

generate men are able to convert themselves." *No* simple unsophisticated mind is able to take *any other* meaning out of it.

(3) The writer however illustrates, "A child may be obstinate, proud, and disobedient, *and while in this state*, it may be affirmed of him, that he cannot please his parent. "But"—what? the child, whenever he chooses, may cease to be disobedient—may change his state—can convert himself—"But whether he might not cease to be obstinate and become obedient is a very different inquiry." The same kind of ability is affirmed of men in reference to their Creator, as is affirmed of the child in reference to its parent. A child can convert itself from a state of disobedience to a state of obedience; the unrenewed sinner can convert himself from that state to a state of obedience.

(4) I cannot in justice refrain from the remark, that the whole comment is assertion; dogmatic assertion. *Here* it would seem the annotator felt that he was writing for children and young people.

(5) "We were yet without strength." This "remark of the apostle" he says "has reference *only* to the condition of the case *before* the atonement was made." Of course, *now* the deficiency of strength does not exist; we are not without strength. The atonement has removed the inability and consequently put men in a salvable state—that is, all men—in a state where they may be saved *if* they choose and *whenever* they choose. This is a distinguishing tenet, but not of Presbyterianism.

(6) In this comment, *the carnal mind* is taken abstractly, for the acting of the individual—*the "minding of the flesh"* "giving supreme attention," and this acting is personified, and concerning it the question is raised; can it be subject to the law of God? Has it—the acting, ability to obey the law? Now this forced and unnatural. The question of subjection to law relates to persons, and accordingly the apostle draws his conclusion, "So then, they that are in the flesh cannot please God." The carnal mind (to phronema tees sarkos) is therefore equivalent to "they that are in the flesh;" i. e. unregenerate men. These are unable to be themselves pleasing to God; or by their conduct to please him. They are *unable* says the apostle: that is true, says his expositor, but they can turn and then it must be otherwise.

This doctrine of human ability is contrary to the standards.

Con. vi. 4: "From this original corruption, whereby we are utterly indisposed, disabled, and made opposite to all good, and wholly inclined to all evil, do proceed all actual transgressions."

ix. 3: "Man, by his fall into a state of sin, hath wholly

lost all ability of will to any spiritual good accompanying salvation; so as a natural man being altogether averse from that which is good, and dead in sin, is not able, by his own strength, to convert himself, or to prepare himself thereunto."

x. 1: "All those whom God has predestinated unto life, and those only, he is pleased, in his appointed and accepted time, effectually to call, by his word and Spirit, out of that state of sin and death, in which they are by nature, to grace and salvation by Jesus Christ; enlightening their minds spiritually and savingly, to understand the things of God, taking away their heart of stone, and giving unto them a heart of flesh; renewing their wills, and by his almighty power determining them to that which is good; and effectually drawing them to Jesus Christ; yet so as they come most freely, being made willing by his grace."

2: "This effectual calling is of God's free and special grace alone, not from any thing at all foreseen in man; who is altogether passive therein, until, being quickened and renewed by the Holy Spirit, he is thereby enabled to answer this call, and to embrace the grace offered and conveyed in it."

xvi. 3: "Their ability to do good works is not at all of themselves, but wholly from the Spirit of Christ. And that they may be enabled thereunto, besides the grace they have already received, there is required an actual influence of the same Holy Spirit, to work in them to will and to do of his good pleasure."

The inability here affects, 1. The *understanding*. For in the recovery from it, the counteracting grace begins in the understanding, "*enlightening* their *minds* spiritually and savingly, to *understand* the things of God." And this is supported by the Scriptures.

Acts xxxvi. 18: "To open their eyes and to turn them from darkness to light."

And this is exactly accordant with the history of sin's introduction. It was by the understanding—"the woman, being deceived, was in the transgression." So are all her posterity.

I. Cor. ii. 14: "But the natural man receiveth not the things of the Spirit of God."

Why? because he don't like them? Not exactly that—but for another reason lying beyond it—he don't understand them spiritually, "for they are foolishness unto him." Why? because, "neither *can* he know them." And why is he *unable* to know them?" "Because they are spiritually discerned," and "the God of this world hath blinded the minds of them that believe not"—of the unregenerate—that is, of all men. "Darkness hath covered the earth." That faculty of man by which he perceives truth and reasons upon it, as it was the first affected by sin, so it is the first affected by the Spirit, in his work of restoring our nature. Then, the understanding being enlightened,

2. The obduracy, the hardness, the insensibility of the soul, is removed; the *affections* are affected, "taking away their heart of stone, and giving unto them a heart of flesh." And this part of the Confession is sustained by

Ezek. xxxvi. 26: "A new heart also will I give you, and a new spirit will I put within you; and I will take away the stony heart out of your flesh, and I will give you a heart of flesh."

Then, the affections being susceptible of tender influences, through the understanding's perceptions of the gospel plan and God's love therein exhibited, and thus prepared to operate upon the will,

3. The will is renewed. This is that faculty of the soul by which choice is made. The will is the soul or mind choosing. "That which has the power of volition is the man, or the soul," says Edwards, "renewing their wills." For by sin they were "made opposite to all good, and wholly inclined to all evil." But now God "worketh in you both to *will* and to do of his good pleasure."

Phil. ii. 13: "For the ability to do good works is not at all of themselves."

But here, a very important question turns up, by what kind of influence is this renewing of the will effected? Is it by motives only, according to the manner in which man influences his fellow man? Is it mere persuasion and argument? "Knowing the terror of the Lord, we persuade men:" but does God's Spirit do any thing more than persuade men? This is the doctrine of some. But look at the Confession: "And by his almighty power determining them to that which is good." Or as in the Shorter Cat. 31: "He doth *persuade* and *enable* us." Suasion is used, but *power* is also given. Or as in the Lar. Cat. 67: "They (although in themselves dead in sin,) are hereby made willing and able." "Man had lost all ability of will, so as a natural man, is not able by his own strength to convert himself." Therefore God gives him strength or ability working in him "by his almighty power."

Thus, by the Confession and the Bible, the utter inability of man lies in his *understanding*, his *affections*, and his *will*. The understanding is the leading faculty of the soul; it presents to the affections objects of desire or aversion; the affections are moved and operate upon the will, and the divine power of the Spirit gives ability in all. How satisfactory is this Scriptural and Confession-of-Faith view of the subject to the simple-hearted christian, unspoiled by false philosophy and bewildering metaphysics?

I have one word to say on the doctrine that present ability is the measure of present duty, or, in

other words, that a man's inability to meet the requisitions of law cancels his obligation; that a man cannot be bound to do what he is unable to do. This position I suppose to be among the most unspeakable of absurdities. Possibly I may not have ability to understand Br. B. and others, who have recently laid down this as a moral axiom. But to me it does seem as if they meant to deny obligation, wherever inability exists. "The Bible nowhere requires more of men than they are able to perform." "It does not lay a claim on any power which man does not possess, nor beyond any power which he possesses. It is definitely limited to the extent of the capacity." Inability, no matter how perversely and wickedly brought about, cancels obligation. On this new axiom in morals you must indulge me in a few particular remarks.

It repeals a great and important principle, viz.: that a man is accountable, not only for his own sinful act itself, but also for the necessary and legitimate results of that act. If I murder a man on whose personal labor there is dependent a family of helpless children, I am accountable not for the act of murder only, but for the wretchedness and misery that may follow his family; for the ignorance and vice into which they may be plunged by my deed; for the whole line of evils which hence result. If I sell rum to my neighbor, am I accountable only for the direct and immediate effects of the act? or am I responsible for the disability that hence ensues? My neighbor becomes a drunkard; he is *disabled* from sustaining his family; by his example they are trained up in all the ignorance and vice of the drunkard's hovel. Am not I responsible for these disabilities? And does the disability of the drunkard, a disability induced by his own perverse and wicked conduct—does this release him from the obligation to provide for his household?

But in reply it is said, the man may be punished for the act of cutting off his hand, but not for neglecting the duties to which he was before bound; to require them "would be the definition of tyranny." Then clearly, the obligation to duty, the duty of obedience, the duty of providing for his household, is nullified by the man's own act of sin! Hence again,

2. I remark, sin is its own apology, and lifts the sinner above law. The law-giver requires obedience; the subject disables himself by perverse rebellion; he cannot obey; *therefore* he is no longer bound to obey. But,

3. Apply this principle to the commercial transactions of society. A man contracts a debt within the compass of his present ability; he perversely and wickedly squanders his estate, gambles away his pro-

perty and disables himself from payment; is he *therefore* not bound? Is he free from moral obligation to pay it? Must justice break her scales and no more hold up an equal balance because he chooses to become a villain? Oh no, the children of this world are wise in their generation. The merchant may *forgive* the debt, but forgiveness implies obligation to pay. The master may omit to demand the service or punish its neglect, but it is an omission of *mercy*. The law may not prosecute the rum-seller, the haggard wife and children may be unable to exact justice of him, but then it is because cupidity and lust are too strong for justice. Therefore,

4. This principle is a subversion, at once, of all moral government. Let it be known throughout the moral universe that inability, (resulting from the most perverse wickedness,) cancels moral obligation, and there will forthwith commence a jubilee in the realms of rebellion, and their ranks may very soon be filled up; for rebellion is then the surest and the shortest road to independence.

5. But I observe again, if natural inability cancels moral obligation, much more, moral inability cancels moral obligation. Your respectful and special attention is invited to this point. It is an *ad hominem* argument against the ability doctrine. Taking these brethren on their own principles, let us see what the result must be. We contend that man labors under a "defect or obstacle" as Edwards says, "in the faculty of understanding;" that this faculty in our present depraved state is unable to discern spiritual things. This is called by many *a natural inability;* and the axiom of our brethren is, that this *natural inability* destroys moral obligation. Now brother Barnes maintains that man has *natural ability*, but he lacks moral ability; he labors under a moral defect or obstacle, a defect, or obstacle, or inability, utterly unremovable, but by the power of God. Nothing but divine grace can remove it; an inability in that very faculty which gives moral character to himself and all his actions; an inability of will, removable only by the Spirit of God. Now, I repeat it, IF NATURAL INABILITY DESTROYS MORAL OBLIGATION, *a fortiori*, MORAL INABILITY DESTROYS MORAL OBLIGATION. Let the advocate of human ability make his election. Let him either admit man's total depravity in understanding, will, and affections, and thus become a consistent Calvinist, or let him go over entirely, and maintain moral ability, and thus become a consistent Arminian. How can a rational man hold this halfway course? Surely, the attempt to suspend himself between the horns of this dilemma, by a metaphysical hair, half sawed off, is sufficient evidence of defect in man's understanding.

This closes what I have to say on the third charge.

At this point Dr. Junkin suspended his argument; and the Synod adjourned till Monday morning at 9 o'clock. Closed with prayer.

Monday Morning, 9 o'clock.—Synod met and was opened with prayer.

Dr. Junkin resumed his argument in support of the appeal.

I am attempting to narrow down my remarks in consequence of the expectation which seems to be generally entertained that there will be no response on the part of the appellee: and this may no doubt create some confusion in the progress of the discussion.

Charge IV.

I have now arrived at the 4th charge. It is in these words:

Mr. Barnes asserts that "faith is an act of the mind, and not a principle, and is itself imputed for righteousness."

My first proof is from p. 94 of "the Notes on the Romans."

Page 94. "*Abraham believed God.*" In the Hebrew, "Abraham believed *Jehovah.*" The sense is substantially the same, as the argument turns on the *act* of believing. The faith which Abraham exercised was, that his posterity should be like the stars of heaven in number. This prospect was made to him when he had no child, and of course when he had no *prospect* of such a posterity. See the strength and nature of this faith further illustrated in verses in 16—21. The reason why it was counted to him for righteousness was, that it was such a strong, direct and unwavering act of confidence in the promise of God. *And it.*—The word "it" here evidently refers to the act of believing. It does not refer to the righteousness of another—of God or of the Messiah; but the discussion is solely of the *strong act* of Abraham's faith, which in *some sense* was counted to him for righteousness. In what sense this was, is explained directly after. All that is material to remark here is, that the *act* of Abraham, the strong confidence of his mind in the promises of God, his unwavering assurance that what God had promised he would perform, was received for righteousness. The same thing is expressed more fully in ver. 18–22. When, therefore, it is said the righteousness of Christ is accounted or imputed to us; when it is said that his merits are transferred and reckoned as ours; whatever may be the truth of the doctrine, it cannot be defended by *this* passage of Scripture. Faith is always an act of the mind. It is not a created essence which is placed within the mind. It is not a substance created independently of the soul, and placed within it by Almighty power. It is not a *principle*, for the expression, *a principle of faith*, is as unmeaning as a principle of joy, or a principle of sorrow, or a principle of remorse. God promises, and the man believes, and this is the whole of it. Beyond the mental operation, there is nothing in the case, and the word is strictly limited to such an act of the mind throughout the Bible.

There is not a place that can be adduced where the word means any thing else than an act of the mind, exercised in relation to some object, or some promise, or threatening, or declaration of some other being." Page 95. "Remark (1). That it is evidently not intended that the act of believing, on the part of Abraham, was the *meritorious* ground of acceptance; for then it would have been a work. Faith was as much his own act, as any act of obedience to the law. (2) The design of the Apostle was to show that by the *law* or by *works*, man could not be justified. Chap. iii. 28, iv. 2. (3) *Faith* was not that which the law required. It demanded complete and perfect obedience; and if a man was justified by *faith*, it was in *some other way*, than by the law. (4) As the law did not demand this, [faith "confidence in God" see page 30;] and as faith was something different from the demand of the law, so if a man were justified by that, it was *on a principle* altogether different from justification by works. It was not by personal merit. It was not by complying with the law. It was a mode entirely different."

This court will not bear with patience a long discussion on the testimony evincing the truth of this charge. For the author of the book put in, to this branch of the charges, a plea of justification—admitting the truth of the charge, but denying its relevancy. His position is, that faith is an act of the mind and not a principle in the mind. The charge is in precise accordance with the language of the book. Yet some remarks will be requisite,—not to shew that the doctrine alleged is contained in Mr. Barnes' book, for that is admitted,—but to show that it is inconsistent with the Confession of Faith and with the Bible. By the principle of faith is meant a habit of action: a disposition of the mind to act. The general principle of faith is an essential part of human nature: as much so as sight or hearing. To put confidence in testimony belongs to human nature, as such. If a man could be without it, he would be, so far, not a human being, just as if a man's intellect is gone, he lacks an essential part of human nature. In relation to that faith which saves the soul, the Scripture assures us that a man has neither faith nor ability without the renewing of the Holy Spirit. If an utter stranger cries out in your hearing that your house is on fire, you all believe it to be so. But with respect to God's testimony there is not that principle in fallen man. The author of this book denies that this is a principle in a renewed man. But when a man is converted, he has the same disposition to believe God as a child has to believe its parent. It is not an insulated act—but a disposition permanent in the nature of man to believe in regard to natural things—and so in the renewed with regard to things spiritual. The phraseology is plain. I said so before—I think so still. Faith, it seems, is an act of the mind. But Abraham had it from the time of his

calling of God in the 70th year of his age to the end of his life. How many acts of faith he performed in that time is not for us to say. There was a continued repetition of them, whenever God's truth was presented, and so it is now. Whenever God's testimony is presented, faith goes out and embraces it. It is a principle inhabiting the soul. Christians in this respect experience a growth in grace. The principle of faith is strengthened—its increase shows it to be a principle. The author speaks of strong acts of faith; but the phrase involves an inconsistency—a strong act of the mind! How can he speak of "acts of faith" holding such a position as he does on the subject? In fact it is not easy for such persons to use the language of Christians and the Bible. If faith is an act of the mind, and nothing more, it is as much obedience of the law as any other act of obedience: and then a man is justified by the works, or by one work of the law. The author saw this. If faith is only an act of the mind, when that act is over the man is no longer a believer. If faith is not permanent within him, he cannot sustain the character of a believer. He is in fact no believer. Hence the inference is not easily to be avoided that a man is justified by his works—by his action. We are indeed told that it is not a meritorious ground of justification; but how can this be if it is his own act? This author says that faith was not demanded by the law. But the mere denial that faith is a work is nothing but the setting up of one assertion against another. He says it is an act, but denies the necessary consequence. But he can never show that such consequence does not follow—for faith, if it is a man's own act, is a work of the law.

The next proof is,

p. 23. The phrase righteousness of God is equivalent to God's plan of justifying men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor. In this sense it stands opposed to man's plan of justification, i. e. by his own works. God's plan is by faith. The way in which that is done is revealed in the gospel. The object contemplated to be done is to treat men as if they were righteous. Man attempted to accomplish this by obedience to the law. The plan of God was to arrive at it by faith. Here the two schemes differ; &c.

Here he denies that faith is required by the law. Into this difficulty he is thrown by his attempt to show that it is not a work of the law. Having taken such a position, he is obliged to show that it is not required by the law.

p. 30. This expression, (The just shall live by faith,) therefore, does not mean, as it is sometimes supposed, the justified by faith shall live, but it is expressive of a general principle in relation to men, that they shall be defended, preserved,

made happy, not by their own merits or strength, but by confidence in God.

Faith, it seems, is confidence in God, and yet it is not required by the law! I merely refer to this to show that there is an insurmountable difficulty in the way of all who hold such sentiments.

In opposition to the charge it is alleged that the phrase "a principle of faith" is without meaning, that it plunges us at once into the depths of metaphysical disquisition and distraction. But the same objection may be raised in regard to any other phrase of a similar kind. We may be asked, what do you mean by a "principle of sorrow?" or "a principle of love?" I mean by it a fixed disposition of the mind; you may call it a habit, or by any other synonymous term you please. A principle of love is a disposition of the mind which disposes it to extend love, readily, to a lovely object. Just so the principle of faith is a disposition of the mind to believe on competent testimony. This book denies the existence of such a principle. It says that joy is not a principle, but that there is something in the mind from which this flows. And so of faith. Faith is not a feeling but an operation of the mind. They say there is nothing which lies aback of faith. It is a simple insulated act of the mind—a stream without a fountain. There may be, it seems, ten thousand acts of faith in the same individual throughout his life, and yet no principle of faith from which they flow.

I contend against this view of things, and I shall show that the Confession of Faith and the Bible alike reject it.

And on this subject I refer the Synod to a definition given by Dr. James P. Wilson, in a note, in the third volume of Ridgley's of Divinity, p. 129.

Faith, according to the beloved disciple John, and the great St. Paul, is the belief of the truth; the believing that Jesus is the Christ; or a giving credit to the record that God gave of his Son. These definitions are all of the same import, and are all divine. Being dictated by the Spirit of God, they cannot be contradicted by any, although some have glossed upon them, till they have brought in a sense diverse from the inspired writers. This faith, when it is real, as distinguished from that unmiaential assent to the gospel, which crowds, who hear it, profess to have, is an effect of the divine influence in us; hence it is said to be of the operation of God; and that it is with the heart man believeth unto righteousness. As the righteousness by which the sinner is justified, is the sole work of Christ for him, so this is the work of the Holy Ghost in him, and no less necessary in its proper place; it being that, without which a sinner cannot comprehend, receive, and rest upon Christ for eternal life. By faith, as before observed, he becomes acquainted with the glories of the character of Jesus, the fulness of grace in him, and

the suitableness and perfection of his righteousness; in consequence of this faith, he admires the Savior's personal excellencies, flies to him, ventures all upon him, and rejoices in him. These, to speak plainly, are all so many effects of faith. The sinner must have a view of the Savior's excellency, before he will admire it. He must be persuaded, that Christ is the only safe refuge, before he will fly to him. He must know that there is in Christ sufficient matter of consolation, before he will rejoice in him. Of all these he is entirely satisfied by faith in the testimony of God: subsequent to which is his coming or flying to him, trusting in or venturing all upon him, rejoicing in him, &c. e. g. Joseph's brethren heard that there was corn enough in Egypt; they believed the report: this was faith; upon this they went down for a supply. Doubtless this was an effect of their faith; for had they not believed the tidings, they would never have gone. So a sinner must believe that Christ is a full and complete Savior, before he will run or fly to him. Sense of misery, and faith in his sufficiency, are the main stimulus. Or, I am sick, I hear of an able physician, I believe him to be so, upon which I apply to him; my application to him, and my belief of his character, are as distinct as any two things can be: my trusting my life in his hands, is an effect of my believing him to be an able physician. This distinction is obvious in the sacred writings, as well as in the nature of things. He that cometh to God, must believe that he is. Here is a manifest distinction between coming and believing.

The Confession of Faith declares in chap. 14:

The grace of faith, whereby the elect are enabled to believe to the saving of their souls, is the work of the Spirit of Christ in their hearts, and is ordinarily wrought by the ministry of the word; by which, also, and by the administration of the sacraments and prayer, it is increased and strengthened.

By this faith, a christian believeth to be true whatsoever is revealed in the word, for the authority of God himself speaking therein; and acteth differently, upon that which each particular passage thereof containeth; yielding obedience to the commands, trembling at the threatenings, and embracing the promises of God for this life and that which is to come. But the principal acts of saving faith are, accepting, receiving and resting upon Christ alone, for justification, sanctification, and eternal life, by virtue of the covenant of grace.

This faith is different in degrees, weak or strong; may be often and many ways assailed and weakened, but gets the victory; growing up in many to the attainment of a full assurance through Christ, who is both the author and finisher of our faith.

Surely I need go no farther. How a man can use this language who holds faith to be an act only, I do not understand. Are there two faiths? or a thousand faiths? or is it an abiding principle, something in the soul which grows, like a tree, which increases, as our muscles do, by its own exercise?

Hear the Confession again, ch. 11, sec. 1.

Those whom God effectually calleth he also freely justifieth; not by infusing righteousness into them, but by pardon-

ing their sins, and by accounting and accepting their persons as righteous: not for any thing wrought in them, or done by them, but for Christ's sake alone: not by imputing faith itself, the act of believing, or any other evangelical obedience to them as their righteousness; but by imputing the obedience and satisfaction of Christ unto them, they receiving and resting on him and his righteousness by faith: which faith they have not of themselves; it is the gift of God.

Here the two books come in direct collision. They cut across each other. If faith is the gift of God, is it an act of the mind? or is it not a permanent principle? The larger catechism (72 and 73) says:

Justifying faith is a saving grace, wrought in the heart of a sinner by the Spirit and word of God, whereby he, being convinced of his sin and misery, and of the disability in himself and all other creatures to recover him out of his lost condition, not only assenteth to the truth of the promise of the gospel, but receiveth and resteth upon Christ and his righteousness, therein held forth, for pardon of sin, and for the accepting and accounting of his person righteous in the sight of God for salvation

Faith justifies a sinner in the sight of God, not because of those other graces which do always accompany it, or, of good works that are the fruits of it, nor as if the grace of faith, or any act thereof, were imputed to him for his justification; but only as it is an instrument by which he receiveth and applieth Christ and his righteousness.

The book of Mr. Barnes says, that faith is an act of the mind, and that this act is imputed for righteousness, and yet denies that it is a work and that a man is justified by his works. But are simple denials of this kind to be pleaded against difficulties inevitably growing out of a man's system? Faith is represented in our confession as an abiding principle. A man is called a day-laborer from the fact that he labors daily—from his habitual course of action: and just so a man is called a believer.

For Scripture authorities I refer to,

Eph. iii, 8. For by grace are ye saved, through faith; and that not of yourselves: it is the gift of God.

Here, as we all know, the antecedent may be either "salvation" or "faith," both which words precede it in the sentence; and the effect will be the same in substance, either way. He alludes, unquestionably, to faith as a principle in the souls of believers. The language is never interpreted as referring to an insulated act of the kind, but to a principle. By that faith, abiding in the mind, we take the bread of life; we take Christ for ourselves for justification and life eternal. Again,

ii Cor. iv, 13. We having the same spirit of faith, according as it is written, I believed, and therefore have I spoken; we also believe and therefore speak.

Here again faith is the principle in the heart, and therefore it is an act in the man.

Luke xvii, 5. And the apostles said unto the Lord, Increase our faith.

A principle may be strengthened: but how an act of the mind can be, I cannot conceive.

Rom. i, 16, 17. For I am not ashamed of the gospel of Christ: for it is the power of God unto salvation to every one that believeth; to the Jew first and also to the Greek. For therein is the righteousness of God revealed from faith to faith: as it is written, The just shall live by faith.

Here we find again the same doctrine. God by his renewing Spirit produces in the regeneration of the man a disposition which, before, was not there, to perform an act for which, before, he had no ability. It is not until after his conversion that he has both the ability and the disposition.

James ii, 17. Even so faith, if it hath not works, is dead, being alone.

You profess to be a believer: if you have faith in you, it will show itself by action. It is a living principle; a principle that works. Does he say an act of the mind is dead? no: but a principle which ought to be alive. It is like the living principle in a tree. Faith will show itself by works. I cannot see how it can be an act merely: for when an act is done, it is gone. And how will the language of this text apply to such a theory?

James ii, 26. For as the body without the spirit is dead so faith without works is dead also.

We all know what is meant by a dead faith. There is the principle of faith in the mind before conversion: but when a man is converted, he has a new principle of action, a principle of holy action.

Galatians v, 6. For in Jesus Christ neither circumcision availeth anything nor uncircumcision; but faith which worketh by love.

I cannot understand this passage, if faith is merely an act of the mind. Here is a principle "back of" the act—a principle which grasps the testimony of God. It worketh. It is a principle which has its work, its task to be performed. The Bible doctrine clearly is that faith is a principle in the mind, just as love is.

And now I think we have come to a place where we are called to put off our shoes from our feet. Thus far we have been but as in the outskirts of the great system of revealed truth. We now approximate the citadel. Let us pass in and see what we shall find there. Shall we see brother Barnes there? Shall we find him on the alert and at his post, with his gun on his shoulder and his match in his hand? Hold, if you touch that you will blow up the whole fortress! your piece is pointed at the magazine! Such is the

doctrine we are now about to examine; if this is destroyed all is gone. What I mean to say is that the doctrines of a covenant of works and a covenant of grace are fundamental doctrines in christianity. If you destroy them you blow up the system, and my poor hope must evaporate amidst the fumes of the explosion. But it shall not be so. God is faithful. The foundation of his church "standeth sure."

Charge V.

The fifth charge is:

Mr. Barnes denies "that God entered into covenant with Adam constituting him a federal or covenant head, and representative to all his natural descendants."

I have labored to arrange these charges as nearly in the order of a mathematical demonstration as possible, always stating beforehand to what point I meant to direct my proof. But there are three or four charges which now follow that unavoidably run into each other. My first proof is,

P. 114. "From these remarks it is clear that the apostle does not refer to the *man* here from any idea that there was any particular covenant transaction with *him*; but that he means to speak of it in the usual popular sense; referring to him as being the fountain of all the woes that sin has introduced into the world."

The court will observe that this is said in that part of Mr. Barnes' book in which he is discussing the much disputed passage in the 5th of Romans, in which the apostle institutes a parallel between Adam and Christ: and he declares that we have no evidence that God made any covenant with Adam. He has met the objection that the woman was first in the transgression, and the language addressed by the Almighty to the man ought rather to have been addressed to her.

My second proof is from p. 123.

P. 123. "The most common (explanation) has been that Adam was the representative of the race; that he was a covenant head, and that his sin was *imputed* to his posterity, and that they were held liable to punishment for it, as if they had committed it themselves. But to this there are great and insuperable objections.

(1.) There is not one word of it in the Bible. Neither the terms representative, covenant, or impute are *ever* applied to the transaction in the sacred scriptures. (2.) It is a mere philosophical theory."

I need go no further. The third proof is from p. 115.

P. 115, as quoted under the second charge, which see.

I refer in this charge to all that portion of this book which attempts to prove that Adam was ignorant of moral relations; and here, in consistency with that idea Mr. Barnes denies that Adam understood there was any covenant made with him at all.

My fourth proof is from pp. 120 and 121.

Pp. 120, 121. "A comparison is also instituted between Adam and Christ in 1 Cor. xv, 22—25. The reason is, not that Adam was the *representa federal head* of the human race, about which the apostle says nothing, and which is not even implied, but that he was the first of the race; he was the fountain, the head, the father; and the consequences of that first act introducing sin into the world, could be seen every where. The words *representative* and *federal head* are never applied to Adam in the Bible. The reason is, that the word *representative* implies an idea which could not have existed in the case—*the consent of those who are represented.* Besides the Bible does not teach that they acted in him, or by him; or that he acted *for* them. No passage has ever yet been found that stated this doctrine."

Mr. Barnes, in his address to Synod, put his hand on the proof copy of a new edition of his book in which he said some of the exceptionable passages had been taken away. I do not think I am called to notice any such differences, for the point, and the only point, before this Synod is this: does the testimony adduced before the Presbytery support the charge advanced before that body? I have to show that he rejects the covenant of works: and in doing so, I am not called to notice his emendations; especially as he declared in your presence that he had made no change in the doctrines of the book. He holds the same opinion still. As the grand leading truths remain the same, mere verbal alterations can be of no consequence to me or to the Synod.

I need not comment on what I have quoted above. He does reject the representative relation between Adam and his posterity. I know it will be said that he does not deny this, but only denies that it is taught here. But to this I have only to repeat what I said before about the possibility of thus denying in detail, until a doctrine is denied clean out of the Bible. And yet the man holds no error! Oh no! But I direct the attention of the court to the fact that this is one of the passages relied on by the church to prove the covenant relation of the two covenant heads, Adam and Christ, to their respective bodies; and no man has a right thus to take away the pillars of our hope. A doctrine stands on seven pillars; the destroyer comes to one and says: "This does not support the house," and he hews that down. He then goes to the next, and says: "This does not support the house," and he hews that down. And so one year he takes one away, and the next year another, until at length the building falls to the ground. There is no man who possesses an ingenuous mind but will admit that he does reject the whole doctrine of the covenant of works. He in fact admitted this charge. He never set up a denial of it.

My fifth proof is from page 128.

p. 128. (2) "Nothing is said of a *covenant* with him(Adam.) No where in the Scriptures is the term *covenant* applied to any transaction with Adam. (3.) All that is established here is the simple fact that Adam sinned, and that this made it certain that all his posterity would be sinners. Beyond this the language of the apostle does not go; and all else that has been said of this is the result of mere philosophical speculation. (4) This *fact* is one that is apparent; and that accords with all the analogy in the moral government of God. The drunkard secures commonly as a result that his family will be reduced to beggary, want, and wo. His sin is commonly the certain occasion of their being sinners; and the immediate cause of their loss of property and comfort, and of their being overwhelmed in wretchedness and grief. A murderer will entail disgrace and shame on his family."

Here is the principle, that it is in respect to the physical constitution of man, that Adam is the head of the race, and not in regard to any moral constitution. He asks whether the nature of a drunkard runs down to his children, entailing calamity on the principle of representation? I apprehend it does; in the management of the family property their father represents them, and they are thrown destitute on the world. But cannot you point to the sons of a man who was a drunkard, but who nevertheless take a high and glorious stand in the church? It does not follow that because the father was intemperate, the children must be ruined. Some of the greatest and best men on this continent had such for their parents. So far indeed as his parent is his representative he is affected by it. If he leaves a debt unpaid he robs his son. It is not necessary after basing my argument on this passage to press the point that the covenant of works is denied. No man can read the book and not perceive that the writer does intend not only to deny but to scout the doctrine.

Charge VI.

I will now pass over that branch of the charges which relates to the covenants, and take up those which follow. There are five of these, all intimately connected, and I will take them up together.

My sixth charge is, that Mr. Barnes denies "that the first sin of Adam is imputed to his posterity."

My seventh charge is, that Mr. B. denies "that mankind are guilty, i. e. liable to punishment on account of the sin of Adam."

My eighth charge is that Mr. B. denies "that Christ suffered the proper penalty of the law, as the vicarious substitute of his people, and thus took away legally their sins and purchased pardon."

My ninth charge is that Mr. B. denies "that the righteousness, i. e. the active obedience of Christ to the law, is imputed to his people for their justification; so that they are righteous in the eye of the law, and therefore justified."

From the intimate connexion between these

charges the synod will perceive the difficulty of separating the remarks on each.

Mr. Barnes denies that the first sin of Adam was imputed to his posterity. In page 10 he says

p. 10. "A melancholy instance of this [substituting theory for fact] we have in the account which the apostle gives (ch. v.) about the effect of the sin of Adam. The simple *fact* is stated that that sin was followed by the sin and ruin of all his posterity. Yet he offers no explanation of the *fact*. He leaves it as indubitable; and as not demanding an explanation in his argument, perhaps as not admitting it. This is the whole of his doctrine on that subject. Yet men have not been satisfied with that. They have sought for a theory to account for it. And many suppose they have found it in the doctrine that the sin of Adam is *imputed*, or set over by an arbitrary arrangement to beings otherwise innocent, and that they are held to be responsible for a deed committed by a man thousands of years before they were born. This is the *theory*, and men insensibly forget that it is *mere theory*."

I presume this was written after the rest of the book, and therefore after the most mature consideration, now if this passage does not positively reject the doctrine of a covenant with Adam, and the consequent imputation of his sin to his posterity I am greatly mistaken. He takes up the very language of your confession and denies its truth. He pronounces it "mere theory," and maintains that we cannot be personally accountable for the deed of a man committed thousands of years before we were born.

In page 117 he says

p. 117. (3.) "It comports with the apostle's argument to state a cause *why* all died, and not to state that men sinned in Adam. It would require an *additional statement* to see how *that* could be a cause. (4.) The expression, 'in whom all have sinned,' conveys no intelligible idea. As men had not an existence then in any sense, they could not then sin. What idea is conveyed to men of common understanding, by the expression, 'they sinned in him?' The meaning of the expression, therefore, clearly, is, *because* all have sinned all die."

"I understand it therefore, as referring to the fact, that men sin, *sin in their own persons—sin themselves*—as indeed, how can they sin in any other way?—and that *therefore* they die."

Here the author quotes the very language of the Confession of Faith and then sneers it out of countenance.

On page 119 we find him saying

p. 119. "The difference contemplated, Rom. x. 14, is not that Adam was an *actual* sinner, and that *they* had sinned only by *imputation*. For (1.) The expression to sin by imputation is unintelligible and conveys no idea. (2.) The apostle makes no such distinction and conveys no such idea. (3.) His very object is different. It is to show that they *were*

actual sinners; that they transgressed law; and the proof of this is that they died. (4.) It is utterly absurd to suppose that men from the time of Adam to Moses were sinners *only by imputation.*"

p. 116. "Death reigned; and this proves that they were sinners. If it should be said that the death of *infants* would prove that *they* were sinners also, I answer—(a) That this was an inference which the *apostle* does not draw, and for which he is not responsible. It is not affirmed by him. (b) If it did refer to infants, what would it prove? Not that the sin of Adam was imputed, but that they were *personally* guilty and transgressors. For this is the only point to which the argument tends. The apostle says not one word about imputation. He does not even refer to infants by name; nor does he here introduce at all the doctrine of imputation. All this is mere philosophy introduced to explain difficulties; but whether true or false; whether the theory explains or embarrasses the subject, it is not needful here to inquire. (3.) The *very expression* here is against the supposition that infants are intended, and that the sin of Adam is imputed to them. The doctrine of imputation has been, that infants were personally guilty of Adam's sin; that they had "sinned in him;' that there was a *personal identity* constituted between them and Adam, (see Edwards on original sin); and that therefore *his sin* was *theirs* as really and truly as if committed by themselves. Yet here the apostle says that those of whom *he* was speaking had *not* sinned after the similitude of Adam's transgression. But if the doctrine of imputation be true, it is certain that they not only *had* sinned after the similitude of his transgression, but had *sinned the very identical sin.* It was precisely *like* him; it was the very thing itself; and they were answerable for that very sin as their own. This doctrine, therefore, cannot be intended here."

If the author did not set up to reject the doctrine of the imputation of Adam's sin, this language is very strange.

On page 121:

p. 121. "Nor have we a right to *assume* that this [ver. 15] teaches the doctrine of the imputation of the sin of Adam to his posterity. For (1) the apostle says nothing of it. (2) That doctrine is nothing but an effort to explain the *manner* of an event which the apostle Paul did not think it proper to attempt to explain. (3) That doctrine is in fact no explanation. It is introducing an additional difficulty. For to say that I am guilty of the sin of another in which I had no agency, is no *explanation*, but is involving me in additional difficulty still more perplexing, to ascertain how such a doctrine can possibly be just."

The very old Arminian argument—"How can it be just?" the same argument used by Pelagius; and which has been battered down ten thousand times by the hosts of the Lord.

On page 127 he says:

p. 127. "The word is *in no instance* used to express the idea of *imputing that to one which belongs to another.* It

here either means, that this was *by a constitution of divine appointment* that they in fact, became *sinners*, or simply declares they *were* so in fact. There is not the slightest intimation that it was by imputation."

On page 128 he says:

p. 128. As quoted under Charge 5th.

I cannot hesitate a moment to believe that any man who reads this will say that the design of the writer was to reject the doctrine of imputation. He does clearly reject it, in many passages of his book. If his plea was now before you, you would soon perceive that he does differ in sentiment from the Confession of Faith. One complaint against your proceeding is that Mr. Barnes is not allowed to reply to each individual charge separately. To this charge I am sure he would have pleaded guilty, but would then have put in a justification on the ground of nonrelevancy, which amounts to a defence of the thing charged.

I now refer you to the standards of our church:

Confession of Faith, chap. vi. sections 3d and 4th.

3. They being the root of all mankind, the guilt of this sin was imputed, and the same death in sin and corrupted nature conveyed to all their posterity, descending from them by ordinary generation.

4. From this original corruption whereby we are utterly indisposed, disabled, and made opposite to all good, and wholly inclined to all evil, do proceed all actual transgressions.

Larg. Cat. 22. The covenant being made with Adam as a public person, not for himself only, but for his posterity, all mankind descending from him by ordinary generation, sinned in him, and fell with him in that first transgression.

25. The sinfulness of that estate whereinto man fell, consisteth in the guilt of Adam's first sin, the want of that righteousness wherein he was created, and the corruption of his nature, whereby he is utterly indisposed, disabled, and made opposite unto all that is spiritually good, and wholly inclined to all evil, and that continually; which is commonly called original sin, and from which do proceed all actual transgressions.

Short. Cat. 18. The sinfulness of that estate whereinto man fell, consists in the guilt of Adam's first sin, the want of original righteousness, and the corruption of his whole nature, which is commonly called original sin; together with all actual transgressions which proceed from it.

Charge VII.

The seventh charge is in these terms:

Mr. B. denies "that mankind are guilty, i. e. liable to punishment on account of the sin of Adam."

And my first proof is,

p. 123. "There is no reason to believe that they are *condemned* to eternal death, or held to be guilty of his sin, without participation of their own, or without personal sin, any more than there is that they are approved by the work of

Christ, or held to be personally deserving, without embracing his offer, and receiving him as a Savior."

And my second proof,

Page 127. The word is *in no instance* used to express the idea of *imputing that to one which belongs to another.* It here either means that this was *by a constitution of divine appointment* that they in fact became sinners, or simply declares that they *were* so in fact. There is not the slightest intimation that it was by imputation. The whole scope of the argument is, moreover, against this; for the object of the apostle is to show not that they were charged with the sin of another, but that they were in fact *sinners* themselves. If it means that they were condemned for *his* act, without any concurrence of their own will, then the correspondent part will be true, that all are constituted righteous in the same way; and thus the doctrine of universal salvation will be inevitable. But as none are constituted righteous who do not voluntarily avail themselves of the provisions of mercy, so it follows that those who are condemned, are not condemned for the sin of another without their own concurrence, nor unless they personally deserve it.

Sinners.—Transgressors; those who deserve to be punished. It does not mean those who are condemned for the sin of another; but those who are violators of the law of God. All who are condemned are *sinners.* They are not *innocent* persons condemned for the crime of another. Men may be involved in the *consequences* of the sins of others without being to blame. The consequences of the crimes of a murderer, a drunkard, a pirate, may pass over from them, and affect thousands, and whelm them in ruin. But this does not prove that they are blame worthy."

Here is an explicit position, and well guarded, intended to shut out the idea of any one man's being punished for the sin of another. He says men may suffer in consequence of another's sin, but not be punished for it. The writer places all the evils which have fallen upon our race in consequence of Adam's sin on the same footing as those which fall on children in consequence of the vices of their immediate parents; just as shame, loss of property, &c. fall upon the children of a drunkard. It does appear to me that he considers our relation to Adam to be this, and nothing more. On page 128 he says:

Page 128. "Various attempts have been made to explain this. The most common has been that Adam was the representative of the race; that he was a covenant head, and that his sin was *imputed* to his posterity, and that they were held liable to punishment for it as if they had committed it themselves. But to this there are great and insuperable objections. * * * (3) It explains nothing. The difficulty still remains. It is certainly as difficult to see how, in a just administration, the sins of the guilty should be charged on the innocent, as to contemplate simply the universal fact that the conduct of one man may involve his family in the consequences. (4) It adds another difficulty to the subject. It not only *explains* nothing, removes no perplexity, but it compels us at once to

ask the question, how can this be just? How can it be right to charge the sins of the guity on those who had no participation in them? How could millions be responsible for the sins of one who acted long before they had an existence, and of whose act they had no consciousness, and in which they had no participation?"

Here is the same idea again. It is woven in both warp and woof of this production. It is part of his system. "How can this be just?" Why, sir, who of us has ever had a controversy with an Arminian, and has not found that this is the very first objection that meets him? All who build their doctrine on free will, (that tenet so ably sustained at a late trial in Ohio,) urge on us the same argument. It is the standing objection of those who differ from us. Be it that it is false logic, still it assumes that we had not any participation in making Adam our representative, and draws from that fact the proof that we had no share in his trespass. I need adduce no more proof. No man possessing a candid mind can read those which I have quoted without the overwhelming conviction that the writer designed to reject the doctrine of our punishment for Adam's first sin.

I now refer you to our standards:

Confession vi. 3. They being the root of all mankind, the guilt of this sin was imputed, and the same death in sin and corrupted nature conveyed to all their posterity, descending from them by ordinary generation.

6. Every sin, both original and actual, being a transgression of the righteous law of God, and contrary thereunto, doth in its own nature, bring guilt upon the sinner, whereby he is bound over to the wrath of God, and curse of the law, and so made subject to death, with all miseries, spiritual, temporal, and eternal.

Larger Cat. 25. (See it quoted above under charge 6th.)

27. The fall brought upon mankind the loss of communion with God, his displeasure and curse; so as we are by nature children of wrath, bond-slaves to Satan, and justly liable to all punishments in this world and that which is to come.

Shorter Cat. 18. (See it quoted above under charge 6th.)

19. All mankind by their fall lost communion with God, are under his wrath and curse, and made liable to all the miseries in this life, to death itself, and to the pains of hell forever.

And under the fifth charge I omitted a similar reference. It is as follows:

Confession of Faith ch. vii. 1. The distance between God and the creature is so great, that although reasonable creatures do owe obedience unto him as their Creator, yet they could never have any fruition of him as their blessedness and reward, but by some voluntary condescension on God's part, which he hath been pleased to express by way of covenant.

2. The first covenant made with man was a covenant of works, wherein life was promised to Adam, and in him to his posterity, upon condition of perfect and personal obedience.

Chapter xix. 1. God gave to Adam a law, as a covenant of works, by which he bound him, and all his posterity, to personal, entire, exact and perpetual obedience; promised life upon the fulfilling, and threatened death upon the breach of it; and endued him with power and ability to keep it.

Larger Catechism 20. The providence of God toward man in the estate in which he was created, was the placing him in paradise, appointing him to dress it, giving him liberty to eat of the fruit of the earth, putting the creatures under his dominion, and ordaining marriage for his help; affording him communion with himself; instituting the Sabbath; entering into a covenant of life with him, upon condition of personal, perfect and perpetual obedience, of which the tree of life was a pledge; and forbidding to eat of the tree of knowledge of good and evil upon the pain of death.

22. The covenant being made with Adam as a public person, not for himself only, but for his posterity, all mankind descending from him by ordinary generation, sinned in him, and fell with him in that first transgression.

Shorter Catechism, 12. When God had created man, he entered into a covenant of life with him, upon condition of perfect obedience; forbidding him to eat of the tree of knowledge of good and evil upon the pain of death.

10. The covenant being made with Adam, not only for himself, but for his posterity; all mankind descending from him by ordinary generation, sinned in him, and fell with him, in his first transgression.

I have referred you to these passages to shew that the covenant relation of Adam to his posterity is not only the doctrine of our church but a leading, fundamental principle in the whole Presbyterian system. It is one of the first truths taught to our children when they learn to lisp the Savior's name: and it is a doctrine necessary to be understood if we would understand aright any other of the doctrines of the new and well ordered covenant by which our salvation is secured. All the terms of a covenant are these: A covenant is an agreement—a mutual agreement: a stipulation and re-stipulation between parties, accompanied by a sanction in case of its violation. God promised life, and accompanied his promise with a commination of death, on disobedience. Life for obedience, death for disobedience. These were the terms and we have Adam's assent to them. I do not say it was in all respects the same sort of covenant which is made between two men when they enter into an agreement. But in this covenant God did promise as well as threaten. The law, says Paul, was "*unto life.*" The only objection to such an arrangement is, that the parties in order to make such a covenant, must both be present, must both be equal, and must both fully assent to it. But if I make a covenant with my slave, am I not bound by it, though we be not equal? It is not necessary to an agreement that the parties be on terms of perfect

equality. God did bow his heavens and come down, and for man's benefit did covenant with our first parent. None can doubt that Adam did covenant, and that the whole transaction was for his benefit. He could not, indeed, refuse the covenant without sin: but he did consent to it. He communicated its terms to his wife; for, that she had a knowledge of them is plain from her replies to the serpent, in which she refers to the penal sanction of the covenant. But of the tree of life God hath said that we may not eat of it—and in the day we eat we shall surely die." How did she know this? she was the weaker vessel, and was therefore the object of attack, but I suppose her husband had instructed her, at all events here is evidence that she possessed the knowledge of her relations. The shame, the sorrow, the silence, the dread of God which followed the transgressions, all shew that they understood it well. Their knowledge of it was necessary to the very existence of a covenant.

But in the defence it will be said that the book only denies that this covenant is mentioned in this passage of the Romans: and that Mr. Barnes denies such a covenant is the mere assertion of his accuser. I think he does deny it *in toto*. But, aside from that, I hold that every man is bound by the legitimate consequences of the positions he may take. The declaration of the Assembly is pleaded in opposition to this: but I do not admit it be binding. It is for the House to judge what is the meaning of Mr. Barnes' language. I hold myself fully responsible for all the legitimate results of my own agency in thought word or deed. I mean to God; and in regard to my language, I am also accountable to men. If I use a phrase which is calculated to injure your reputation I cannot screen myself from responsibility by pleading that I did not mean the words in an injurious sense? Who is to judge with what intention the words produced were employed? The court is to judge. It is a fact for the jury. The question to be settled is, does the language quoted mean what is charged? Another remark. It is charged on President Edwards, and on those of us who are called the Orthodox, that we hold personal identity between Adam and his posterity. I deny the assertion. Edwards has no such doctrine. Let us here what it is he does say:

My meaning in the whole of what has been here said, may be illustrated thus: Let us suppose that Adam and all his posterity had co-existed, and that his posterity had been, through a law of nature established by the Creator, united to him, something as the branches of a tree are united to the root, or the members of the body to the head, so as to con-

stitute as it were one complex person, or one moral whole: So that by the law of union there should have been a communion and co-existence in acts and affections; all jointly participating, and all concurring, as one whole, in the disposition of the head: as we see in the body natural, the whole body is affected as the head is affected; and the whole body concurs when the head acts. Now in this case all the branches of mankind, by the constitution of nature and law of union, would have been affected just as Adam, their common root, was affected. When the Heart of the root, by a full disposition, committed the first sin, the hearts of all the branches would have concurred; and when the root, in consequence of this, became guilty, so would all the branches; and when the root, as a punishment of the sin committed, was forsaken of God, in like manner would it have fared with all the branches; and when the root, in consequence of this, was confirmed in permanent depravity, the case would have been the same with all the branches; and as new guilt on the soul of Adam would have been consequent on this, so also would it have been with his moral branches. And thus all things, with relation to evil disposition, guilt, pollution and depravity, would exist, in the same order and dependence, in each branch, as in the root. Now, difference of the time of existence does not at all hinder things succeeding in the same order, any more than difference of place in a coexistence of time.

Here may be observed, as in several respects to the present purpose, some things that are said by Stapferus, an eminent divine of Zurich, in Switzerland, in his Theologia Polemica, published about fourteen years ago;—in English as follows: "Seeing all Adam's posterity are derived from their first parent, as their root, the whole of the human kind, with its root, may be considered as constituting but one whole, or one mass; so as not to be properly distinct from its root; the posterity not differing from it, any otherwise than the branches from the tree. From which it easily appears, how that when the root sinned, all that which is derived from it, and with it constitutes but one whole, may be looked upon as also sinning; seeing it is not distinct from the root, but one with it."—*Tom.* i. Cap. 3. § 836. 57.

"It is objected against the imputation of Adam's sin, that we never committed the same sin with Adam, neither in number nor in kind. I answer, we should distinguish here between the physical act itself which Adam committed, and the morality of the action and consent to it. If we have respect only to the external act, to be sure it must be confessed that Adam's posterity did not put forth their hands to the forbidden fruit: In which sense, that act of transgression and that fall of Adam cannot be physically one with the sin of his posterity. But if we consider the morality of the action, and what consent there is to it, it is altogether to be maintained, that his posterity committed the same sin, both in number and in kind, inasmuch as they are to be looked upon as consenting to it. For where there is consent to a sin, there the same sin is committed. Seeing therefore that Adam with all his posterity constitute but one moral person, and are united in the same covenant, and are transgressors

of the same law, they are also to be looked upon as having, in a moral estimation, committed the same transgression of the law, both in number and in kind. Therefore this reasoning avails nothing against the righteous imputation of the sin of Adam to all mankind, or to the whole moral person that is consenting to it. And for the reason mentioned, we may rather argue thus. The sin of the posterity, on account of their consent, and the moral view in which they are to be taken, is the same with the sin of Adam, not only in kind, but in number; therefore the sin of Adam is rightly imputed to his posterity."—*Id.* Tom. iv. cap. 16 § 60, 61.

He says, they constituted but one *moral* person: yet this book charges him with maintaining that there was a physical unity of person. Stapfer says the union is moral—a covenant or constituted union, and then quotes the subject of identity. I am not singular in taking this position in defence of Edwards. Dr. Janeway, writing in the Christian Advocate, maintains the same. He there asserts that Edwards never taught the doctrine of personal identity. The thing is of an evil savor. What Edwards does teach is not a personal, but a covenant union, a unity for moral purposes. As members of this great moral body we are all one in our covenant head. There was no personal identity between Adam and his wife. The thing is absurd in itself—it is an ineffable absurdity: and I reject the imputation of it to me with some indignation. It is like the cry of mad dog. They first charge this absurd notion upon Edwards, and then make this the ground of rejecting other doctrines by association.

When this case was before the Presbytery, I quoted Turretin, Owen, and others: but to save the time of the Synod, I shall not cite those quotations here. I will now show, however, that Pelagius, the arch-heretic of another age, held the same view with Mr. Barnes. And sure I am that if my brother saw that he was on the self-same ground with such a man, he would pause. I quote the Biblical Repertory, but not as an authority in our church.

Pelagius, in his book De natura, as quoted by Augustine, says: "When it is declared that all have sinned in Adam, it should not be understood of any original sin contracted by their birth, but of imitation." Again: "How can a man be considered guilty by God of that sin which he knows not to be his own? for if it is necessary, it is not his own; but if it is his own, it is voluntary; and if voluntary, it can be avoided."

It is the very doctrine of Pelagius. Yet I am far from charging brother Barnes with being a Pelagian. He holds a portion of his doctrine, undoubtedly: and if he follows out that portion, he must embrace the rest. If he proceeds as he has begun, I warn him, now, in time, that he will end with being a Pelagian.

There did exist a covenant with Adam as the federal head of the race. But we are pressed with the difficulty, 'How can it be?' My reply is, I don't know. How can the Trinity be? How can three be one? There are ultimate truths in morals as in all other matters of science. Put three men into a company in business, and they become a moral unity. How is this? If any man will explain to me the doctrine of agency, I will explain to him the covenant of works. But because it is an element in morals, beyond which a man can't go, must we therefore reject it? A man may ask me to explain an axiom in geometry: and because I can't do it, are we to reject the science? There are original elements in every science. I affirm that the principle of representation is an original element in morals—yet we cannot exist in a social state without it. It is indispensable to human society. That one man shall stand in the moral relations of another, is a fact without which society could not exist for a day: and I never will consent to cast it off, because it cannot be explained. Now if men were all represented in Adam, and a covenant with him did exist, it follows that all the members of the human family are identified with their head, and follow his destiny. And that is the doctrine of the Bible, and of the Confession of Faith. It is here necessary to define one or two terms. In the court below, Webster was quoted and certain law authorities: but such authority has not much weight with me in these matters.

Let us hear the Confession:

Confession, chap. vi. 3. They being the root of all mankind, the guilt of this sin was imputed, and the same death in sin, and corrupted nature conveyed to all their posterity, descending from them by ordinary generation.

4. From this original corruption, whereby we are utterly indisposed, disabled, and made opposite to all good, and wholly inclined to all evil, do proceed all actual transgressions.

5. This corruption of nature, during this life doth remain in those that are regenerated: and although it be through Christ pardoned and mortified, yet both itself and all the motions thereof, are truly and properly sin.

6. Every sin, both original and actual, being a transgression of the righteous law of God, and contrary thereunto, doth, in its own nature, bring guilt upon the sinner, whereby he is bound over to the wrath of God, and curse of the law, and so made subject to death, with all miseries, spiritual, temporal, and eternal.

What is here meant by "guilt?" moral turpitude? corruption of heart? I ask any legal gentleman here present to say whether that is the meaning? Guilt is that whereby an offender is bound over to wrath.

Here is a constitutional definition of the term. Guilt is liability to punishment. This is a true and a sound definition. Now keeping this definition in mind, let us compare the larger catechism, question 27, with what is here affirmed.

Larg. Cat., 27. The fall brought upon mankind the loss of communion with God, his displeasure and curse; so as we are by nature children of wrath, bond slaves to Satan, and justly liable to all punishments in this world, and that which is to come.

"Justly liable to all punishments," &c. He is guilty who is liable to punishment. A man charged with crime is by all courts of justice treated as innocent until the verdict of guilty is actually given in. But when the court has decided that he has done the deed which exposes him to punishment, from that moment he is guilty in the eye of the law. Judgment compares two things and sees if they agree or not. The judge first lays down the law and then the conduct of the accused, and decides whether they agree or differ. If they agree, he pronounces a sentence of justification: if they differ, a sentence of condemnation. But, before this award, the man is not to be sent to the penitentiary or to the gallows. He is not guilty. Guilt results from a judicial sentence. Men are liable before God for crimes they have done, whether condemned by men or not: but they are liable before man only when they have been sentenced. There is an attempt to evade this doctrine by a criticism on the term "punishment." Punishment means any suffering inflicted as a just consequence of transgression. It will be attempted to be shown that punishment applies only to individual and personal transgression. We say that punishment is any suffering which the law declares ought to be endured as the legal remuneration for sin: but it is affirmed on the other side, that an evil inflicted is denominated punishment, only when it is for the personal acts of the individual himself who endures it. Under this nice distinction an attempt will be made to evade the charge. It is for the court to say whether they only are bound over to punishment who are personally guilty. The confession of faith says we are liable for all sin, both original and actual, and must endure its penalty, and penalty is the just retribution of the law for the violation of the law.

I must here remark on the doctrine of Imputation. Mr. Barnes's book says that it means the charging upon a man his own personal acts alone, or the act of another for which he is justly responsible. The Scripture does use the term in reference to the charging upon a man his own sins. But that is not all. This subject is clearly illustrated in the Biblical

Repertory. It does, undoubtedly, include the charging on an individual his own doings; but it includes also the charging on him the acts of another who was his representative. This is clearly exemplified in the case of Philemon. Paul says to him, if Onesimus has wronged thee or owes thee aught, put that on my account. It was to be charged on Paul, though it was not Paul's own act. The allegation is that God imputes things as they are, not as they are not. But the direct language of the Scripture declares the contrary. It considers the first fruits as though they were the harvest—yet a handful of grain is not the harvest; it *represents* the harvest. In the passage to Philemon, the word rendered "set to my account," is the same word in the Greek, as that which is rendered "impute." The meaning is exceedingly plain, and is in positive contradiction to Mr. Barnes's position. Philemon has a debt in his leger against Onesimus: Paul did not owe that debt personally—yet he says, "impute" it to me. I will pay it. All men know that mutual consent does create a moral union, and they act on the principle every day. Paul here did consent, and I presume that he paid the debt. There is no difficulty in the matter; only keep metaphysics off. Adam represented his race in the covenant of works, just as Paul represented Onesimus in the transaction with Philemon. The only question is as to the fact of the union, how he became their representative. In Paul's case, it was by Paul's voluntary consent; in the case of Adam, it was by God's constitution. Then comes the question, did God constitute such a union. If he did, then all the consequences of such union follow, of course. And it is in consequence of such union, that his whole posterity fell in him and with him. But it is said in this book, that we must not ask how Adam's posterity come to be affected by his fall. The fact is so, but there we must stop and inquire no farther. I am not willing that the book shall escape on this ground. A Socinian may escape on the same principle. I can find men who are far more *liberal* than Mr. Barnes, who will admit the same thing. Indeed, who is there that denies it? who denies the fact that mankind are sinful and liable to death? All admit this; the most wicked men in the world will go thus far. It does not follow that we became sinners by Adam's fall, merely because all men have sinned and do die: it is only in consequence of a covenant with Adam, of which covenant death was to be the penalty. This book declares that Adam's sin is never charged upon any man until he has sinned himself, and thus assented to the relationship between him and the father of the race: but the doctrine of the Bible is, that men are dead

"*by nature*"—that "by the offence of one judgment came upon all men to condemnation." But such is not the language of this book.

P. 127. But as none are constituted righteous who do not voluntarily avail themselves of the provisions of mercy, so it follows that those who are condemned, are not condemned for the sin of another without their own concurrence, nor unless they personally deserve it.

P. 128. How can it be right to charge the sins of the guilty on those who had no participation in them? How could millions be responsible for the sins of one who acted long before they had an existence, and of whose act they had no consciousness, and in which they had no participation?

Men, it seems, are not children of wrath by nature, and condemned by the offence of one, but when they arrive at consciousness and voluntary action, and begin to sin in their own persons, then judgment comes upon them. It is clear that the author denies that infants are justly liable to death, until by their own voluntary action they have sealed the covenant on their own behalf. This, I repeat, is not the doctrine of our confession, nor of the Bible. Paul teaches that by one man's disobedience many were made sinners—"as by the offence of one judgment came upon all men to condemnation, even so by the righteousness of one the free gift came upon all men to justification." The exposition teaches that as condemnation would come upon all men by Adam's sin, on certain conditions, so a door was opened for the free gift to come upon all men on certain conditions. The doctrine of the Bible is, that judgment *came* upon all men by Adam's sin: the doctrine of the expositor is, that condemnation *would come* on all men when they should themselves voluntarily sin. The Bible says it came upon them before they acted at all: the book denies this. Here is the difference between them.

And now I want to show what were the opinions of a great and learned man—one of the most pious men of his day—a man who travelled through all the convents of Europe purposely to promote the growth of religion in those establishments—a man of uncommon sanctity and of the most splendid talents. You will find my authority in Milner's Church History, vol. 2d, p. 370:

"If Adam's sin hurt those who are not guilty, the righteousness of Christ profits those who believe not."

Here Pelagius declares that if Adam's sin hurt those who were not themselves personally guilty, then the righteousness of Christ must help those who believe not. The very doctrine of Mr. Barnes. And I hold up this passage from the famous heresiarch as a beacon of warning to our brother. And I

now hold with him the same argument which was held with Pelagius, and which pressed so hardly upon him. It is this: How dare you baptize infants, if they have no sin? A report had gone abroad, that Pelagius rejected infant baptism. Pelagius denied it; but when pressed with this argument, never could explain how or why he did it. The same argument has been pressed upon all who hold the doctrine of human ability. It was pressed on the appellee, and with such importunity, that I was really almost ashamed of repeating it: yet it never was met; and I venture to predict that it never will be met.

If infants are not liable to punishment, how can those who die in infancy be pardoned? What is pardon? It is the remission of a sentence of condemnation. It is the taking away of the legal consequences of transgression. But how can those be pardoned who have no sin? How can liability to punishment be taken away from those who never were liable? A prisoner, accused of a crime, pleads not guilty. He is offered a pardon: but will he accept it? No: he scorns it. He replies: I am innocent; I need no pardon, and will accept none. An infant never can be pardoned unless he is guilty; and if not guilty of sin in his own person, he must be pardoned the guilt of his first father. Surely this is very plain. My Christian brethren, some of you are fathers, and are able to appreciate the value of this doctrine. For my own part, I have believed it from my earliest years. I do most fully believe that infants are indebted to Christ for pardon. But never did I feel the worth of this truth, as I felt it, when I held my own dying infant upon my knees, and beheld it enduring agonies equalled only by those which the Savior himself endured, when hanging on the accursed tree he exclaimed—"My God, my God, why hast thou forsaken me!" Then it was that I said to myself, they may speculate as they please, but if this child is not held liable to punishment for Adam's sin, then what kind of a God have we got? Would he inflict such things on a being chargeable with no fault? Parents, is it not a gladdening thought, that you shall meet your lost child in the world of spirits? that your eyes shall behold its beloved face again in the realms on high? Oh, how grand a thought! how consoling! how precious! But this book says, nay: according to this author, there must be one heaven for infants, and another for parents. Your lost babe can never take its harp of gold and sing the praises of redeeming love. Why? Because it never was pardoned. What does it owe to Christ or his blood? Ah no; it never can join that melody which rivets the attention of angels, but in which they have no share. It never can say, "thou hast redeemed us to God by

thy blood," for it never was redeemed: it cannot praise the Lamb for pardoning mercy, for it never was pardoned. You who have lost infants, can appreciate this. If the position is true, we and our infants must part. I pressed this on Mr. Barnes before the Presbytery, and urged him for a reply; but there was no reply. All that was attempted, was a cold remark, that we knew little about the state of infants, and he was not willing to harrow up the feelings of parents by discussing it. I predict that there will be no reply.

Here the Synod took a recess.

On convening after recess, Synod attended to to some other business, and then resumed the trial of the appeal, and Dr. Junkin proceeded:

Having been urged by not a few of my friends to abbreviate my remarks still more than I have already endeavored to do, I shall waive the reading again of the whole of the testimony, and shall only refer with much brevity to some parts of it as I pass on.

Charge VIII.

The 8th charge is as follows:

Mr. Barnes denies "that Christ suffered the proper penalty of the law, as the vicarious substitute of his people, and thus took away legally their sins and purchased pardon."

We have seen that the author of the Notes on Romans denies the imputation of Adam's sin to his posterity. But by contrasting the two covenants of grace and of works, we ascertain the fact, and are shut up to believe it, that as Adam's sin was imputed to his posterity, so, in like manner, the sins of Christ's people passed over to Christ and were the cause of his anguish and death on the cross. Jesus is called in the Bible the second Adam. With him was made a new covenant, the first having been broken; new, in respect to the time of its revelation, but old in fact; for in reference to this covenant, believers were chosen in Christ before the foundation of the world, and the same relation was constituted between them and Christ, the head of the new covenant, as had before been established between Adam, the head of the first covenant, and his posterity. Consequently, their sin passes over to the second Adam in just the same way as the sin of the first Adam passed over upon his seed.

The doctrine of this book is a denial that Christ suffered the proper penalty of the law; and the reason given is, that his sufferings were not eternal, nor were they mingled with remorse and despair. The Bible clearly shows, however, that his death was penal in its nature—that he bore the wrath of God for sin. There is much in this book which includes what I deem correct phraseology. It admits

that Christ was "substituted" for his people, but it denies that he was their legal representative. It admits that Christ did so suffer as to show to the universe God's displeasure at sin; but not that he endured its legal penalty. But you could never understand how his death should display the divine justice, unless he took the legal responsibilities of his people. The book says that it showed that God's law could not be broken with impunity: but it does not show how this was done: for imputation is denied. But surely his death was one of the strongest manifestations of injustice that ever was made, unless imputation be admitted. If no sin was imputed to Christ, for what did he suffer? Why was that cup of trembling put to his blessed lips until he had drained its bitterest dregs? The following are my proofs of the eighth charge:

Proof 1. All the passages quoted under charges 6 and 7 are referred to here. If the sin of the *first* Adam is not imputed to his seed, and they are not liable to punishment on account of it; then it inevitably follows, that the sin of his seed is not imputed to the second Adam, and he punished on account of it.

Proof 2. p. 89, 90. "In the plan of salvation, therefore, he has shown a regard to the law, by appointing his Son to be *a substitute* in the place of sinners; not to endure its precise penalty, for his sufferings were not eternal, nor were they attended with remorse of conscience, or by despair, which are the proper *penalty* of the law; but he endured so much as to accomplish the same ends as if those who shall be saved by him, had been doomed to eternal death. That is, he showed that the law could not be violated without introducing sufferings; and that it could not be broken with impunity. He showed that he had so great a regard for it, that he would not pardon *one sinner* without an atonement. And *thus* he secured the proper honor to his character as a lover of his law, a hater of sin, and a just God. He has shown that if sinners do not avail themselves of the offer of pardon by Jesus Christ, *they* must experience in their own souls forever, the pains which this substitute for sinners endured, in behalf of men, on the cross." Thus, no principle of justice has been abandoned; no claim of his law has been let down; no disposition has been evinced to do *injustice* to the universe, by suffering the guilty to escape. He is, in all this great transaction, a just moral governor, as *just* to his law, to himself, to his Son, to the universe, when he *pardons*, as he is when he sends the incorrigible sinner down to hell. A full compensation, an equivalent has been provided by the sufferings of the Savior in the sinner's stead, and the sinner may be pardoned."

How opposite this is to the doctrine of our church, will be seen by referring to the Confession of Faith and to the Catechisms.

Confession, chap. viii. 4. This office the Lord Jesus did most willingly undertake; which that he might discharge, he was made under the law, and did perfectly fulfil it; endured most grievous torments, immediately in his soul, and

most painful sufferings in his body; was crucified and died; was buried and remained under the power of death, yet saw no corruption. On the third day he arose from the dead, with the same body in which he suffered; with which also he ascended into heaven, and there sitteth at the right hand of his Father, making intercession; and shall return to judge men and angels at the end of the world.

5. The Lord Jesus, by his perfect obedience and sacrifice of himself, which he through the eternal Spirit once offered up unto God, hath fully satisfied the justice of his Father; and purchased not only reconciliation, but an everlasting inheritance in the kingdom of heaven, for all those whom the Father hath given unto him.

Chap. xi. 3. Christ, by his obedience and death, did fully discharge the debt of all those that are thus justified, and did make a proper, real and full satisfaction to his Father's justice in their behalf. Yet in as much as he was given by the Father for them, and his obedience and satisfaction accepted in their stead, and both freely, not for any thing in them, their justification is only of free grace; that both the exact justice and rich grace of God might be glorified in the justification of sinners.

Larger Catechism, 49. Christ humbled himself in his death, in that having been betrayed by Judas, forsaken by his disciples, scorned and rejected by the world, condemned by Pilate and tormented by his persecutors; having also conflicted with the terrors of death, and the powers of darkness, felt and borne the weight of God's wrath, he laid down his life an offering for sin, enduring the painful, shameful, and cursed death of the cross.

Shorter Catechism, 25. Christ executeth the office of a priest, in his once offering up of himself a sacrifice to satisfy divine justice, and reconcile us to God; and in making continual intercession for us.

These authorities are sufficient to show that the Presbyterian church holds the doctrine that our sins passed over on Christ, and that he was held responsible for them, because he was the surety, representative and moral head of his people.

Charge IX.

The 9th charge is the following:

Mr. Barnes denies "that the righteousness, *i. e.* the active obedience of Christ to the law, is imputed to his people for their justification; so that they are righteous in the eye of the law, and therefore justified."

My proofs are as follows:

Proof 1. p. 28. (3.) The phrase *righteousness of God*, is equivalent to *God's plan of justifying men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor.* In this sense it stands opposed to *man's* plan of justification *i. e.* by his own works. God's plan is by faith." "The word to *justify*, dikaio, means properly *to be just, to be innocent, to be righteous.* It then means to *declare*, or treat as righteous, as when a man is charged with an offence, and is acquited. If the crime alleged is not *proved* against him, he is declared by

the law *to be innocent*. It then means to *treat as if innocent*, to *regard as innocent;* that is, to pardon, to forgive, and consequently to treat as if the offence had not occured. It does not mean that the man *did not* commit the offence, or that the law might not have held him *answerable* for it; but that the offence is forgiven; and it is consistent to receive the offender into favor, and to treat him *as if* he had not committed it."

"In regard to this plan, it may be observed. (1.) That is not to declare that men *are* innocent and pure. That would not be true. The truth is just the reverse: and God does not esteem men to be different from what they are. (2.) It is not to *take part* with the sinner, and to mitigate his offences. It admits them to their full extent, and makes *him* feel them also. (3.) It is not that we become partakers of the essential righteousness of God. That is impossible. (4.) It is not that *his* righteousness becomes *ours*. This is not true; and there is no intelligible sense in which that can be understood. But it is God's plan for *pardoning* sin, and for *treating* us as if we had not committed it; that is, adopting us as his children, and admitting us to heaven, on the ground of what the Lord Jesus has done in our stead. This is God's plan. Men seek to save themselves by their own works. God's plan is to save them by the merits of Jesus Christ."

Proof 2. p. 84, 85. "*Even the righteousness of God.* The apostle, having stated that the design of the Gospel was to reveal a new plan of becoming just in the sight of God, proceeds here more fully to explain it. The explanation which he offers, makes it plain that the phrase so often used by him, "*righteousness of God*," does not refer to an attribute of God, but to his plan of making men righteous. Here he says, that it is by faith in Jesus Christ; but surely an *attribute* of God is not produced by faith in Jesus Christ. It means God's mode of regarding men as righteous through their belief in Jesus Christ. "God has promised that they who believe in Christ, shall be pardoned and saved. This is *his* plan in distinction from the plan of those who seek to be justified by works."

"*Being justified.*—Being treated as if righteous, that is, being regarded and treated as if they had kept the law. The apostle has shown that they *could not* be so regarded and treated by any merit of their own, or by personal obedience to the law. He now affirms that if they were so treated, it must be by mere favor, and as a matter, not of right, but of gift. This is the essence of the Gospel.

Proof 3. p. 94, 95, as quoted under charge IV (7) and p. 96. "God judges things as they are; and sinners who are justified, he judges *not* as if they were pure, or as if they had a claim: but he regards them as *united by faith to the Lord Jesus, and in this relation he judges that they should be treated as his friends, though they have been, are, and always will be personally undeserving.* But if the doctrine of the Scriptures was that the entire righteousness of Christ was set over to them, was really and truly theirs, and was *transferred* to them in any sense, with what propriety could the apostle say, that God justified the ungodly? If they have all the righteousness of Christ as their own, as really and truly theirs, *as if* they had wrought it out themselves, they are *not* "*ungodly.*"

They are eminently pure and holy, and have a claim, not of grace, but of debt, to the very highest rewards of heaven." p. 97. *Unto whom God imputeth righteousness.*—Whom God treats as righteous, or as entitled to his favor in a way different from his conformity to the law. This is found in Psalms xxxii. And the whole scope and design of the Psalm is to show the blessedness of the man who is *forgiving*, and whose sins are not charged on him, but who is freed from the punishment due to his sins. Being thus pardoned, he is treated as a righteous man."

Proof 4. p. 127. *By the obedience of one.*—Of Christ. This stands opposed to the *disobedience* of Adam, and evidently includes the entire work of the Redeemer which has a bearing on the salvation of men. Phil. ii. 8. "He .... became *obedient* unto death."

P. 21. "*Of God's righteousness.* Not of the personal holiness of God, but *of God's plan of justifying men*, or of declaring them righteous by faith in his Son. Here God's plan stands opposed to their efforts to make themselves righteous by their own works."

The book denies that the active obedience of Christ is imputed to believers for their righteousness. If imputation is not true, and the doings of one man as to their legal consequences do not pass over to another, then undoubtedly Christ's active compliance with the demands of the law cannot be imputed for righteousness. The phrase is used of "treating men as if they were righteous," but there is a careful avoiding of the assertion that the active obedience of the Savior is counted to them in law as theirs.

In pages 94, 95, he says. [See the quotation under Charge IV.]

The doctrine of our Confession, and of the Bible, is here expressly denied. That the believer is justified by Christ's obedience, that he has on the wedding garment of Chpist's righteousness, is the doctrine of our Church in her Confession: but, according to this book, there is no transfer of legal responsibilities—that goes down with the doctrine of imputation.

I refer the Synod to our Confession:

Confession of Faith, xi. 1. Those whom God effectually calleth he also freely justifieth; not by infusing righteousness into them, but by pardoning their sins, and by accounting and accepting their persons as righteous: not for any thing wrought in them, or done by them, but for Christ's sake alone: not by imputing faith itself, the act of believing, or any other evangelical obedience, to them as their righteousness; but by imputing the obedience and satisfaction of Christ unto them, they receiving and resting on him and his righteousness by faith: which faith they have not of themselves; it is the gift of God.

2. Faith, thus receiving and resting on Christ and his righteousness, is the alone instrument of justification; yet is it not alone in the person justified, but is ever accompanied with all other saving graces, and is no dead faith, but worketh by love.

3. Christ, by his obedience and death, did fully discharge the debt of all those that are thus justified, and did make a proper, real, and full satisfaction to his Father's justice in their behalf. Yet, in as much as he was given by the Father for them, and his obedience and satisfaction accepted in their stead, and both freely, not for any thing in them, their justification is only of free grace; that both the exact justice and rich grace of God might be glorified in the justification of sinners.

Larger Catechism, 70. Justification is an act of God's free grace unto sinners, in which he pardoneth all their sins, accepteth and accounteth their persons righteous in his sight; not for any thing wrought in them, or done by them, but only for the perfect obedience and full satisfaction of Christ, by God imputed to them, and received by faith alone.

71. Although Christ, by his obedience and death, did make a proper, real, and full satisfaction to God's justice, in the behalf of them that are justified; yet in as much as God accepteth the satisfaction from a surety, which he might have demanded of them, and did provide this surety, his only Son, imputing his righteousness to them, and requiring nothing of them for their justification but faith, which also is his gift, their justification is to them of free grace.

72. Justifying faith is a saving grace, wrought in the heart of the sinner by the Spirit and word of God, whereby he, being convinced of his sin and misery, and of the disability in himself and all other creatures to recover him out of his lost condition, not only assenteth to the truth of the promise of the gospel, but receiveth and resteth upon Christ and his righteousness, therein held forth, for pardon of sin, and for the accepting and accounting of his person righteousness in the sight of God for salvation.

Shorter Catechism, 33. Justification is an act of God's free grace, wherein he pardoneth all our sins, and accepteth us as righteous in his sight, only for the righteousness of Christ imputed to us, and received by faith alone.

Justification is the accounting of an individual as righteous in the sight of the law. It proceeds on the great principle of God's moral government that righteous actions shall be rewarded and unrighteous actions punished. Paul treats of that doctrine in this epistle: and it is the only part of the Scripture in which the doctrine is treated of in form. In summing up the design of the epistle he declares that in the gospel "the righteousness of God is revealed from faith to faith." This commentator however declares that the doctrine of justification is not here treated of at all, but only the living of believers by faith. But any one can see that the life of which Paul speaks is that eternal life which is the effect of justification. The prophet Habakkuk speaks of this —but takes up the converse of the proposition. There are two parts in the dilemma—viz. justification by Christ's works and justification by man's own works —and he takes away one horn of the dilemma and thereby leaves the other. He that is not justified

shall not live—and what is the conclusion? that the righteousness of man by the obedience of the law is wholly defective and insufficient. This he proves by an induction of particulars, citing the cases of men of all sorts and over the whole world. Having proved this position both from fact and from Scripture, he draws to the conclusion of his argument in the 20th verse of the 3d chapter, "Wherefore by the works of the law shall no flesh be justified." He lays that mode of justification on one side—and what next? He refers to the active obedience of some one else which is to take the place of these human works "but now the righteousness of God without the law is manifest." This is the same doctrine he had in view in the beginning of the 17th verse. The righteousness of God is an active obedience, coming in the place of that which was demanded of man.

If it does not mean this, then Dr. Priestly's allegation "that the apostles often reasoned incorrectly" is true. The apostle reveals to us not the righteousness of man nor of angels but of God our Redeemer: but this book denies that that righteousness can be ours in any sense whatever. The apostle proves the contrary. His whole reasoning shuts us up to believe that he means this—and this only. This is justification according to the doctrine of your church. It is the setting over to a believer as soon as he believes, all the legal excellence of his surety, from that moment it is his: hence the Lord Jesus is termed 'the Lord our righteousness.' There is no evidence to shew that the mere endurance of the sanction of the law will entitle any one to a reward. The mere endurance of pain is not that to which the positive rewards of righteous action are promised or can justly belong. Christ's sufferings meet all the demand of the law for punishment, but it is his obedience which meets the demand of the law in its precept. The law demands of a sinner both the endurance of penalty and the obedience of its precept—Christ rendered both: but this book rejects one of them entirely.

The imputation of Christ's obedience to the believer is not taught in that book; it is not so much as once brought into view; no, not even that it may be thrust aside. And yet there are many places where there must have been a strong temptation to advert to it.

Charge X.

My tenth charge is in the following words: viz.

"Mr. Barnes also teaches, in opposition to the standards, that justification is simply pardon."

Proof 1 pp. 28, 29 (already quoted). "The phrase *righteousness of God is* equivalent to *God's plan of justifying*

men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor."

2. "In regard to this plan, it may be observed, (4.) It is not that *his* righteousness becomes *ours*. This is not true; and there is no intelligible sense in which that can be understood. But it is God's plan for *pardoning* sin, and for *treating us* as if we had not committed it."

3. p. 110. "*Being now justified.* Pardoned; accepted as his friends."

4. p. 124. "*Unto justification.* The work of Christ is designed to have reference to many offences, so as to produce pardon or justification in regard to them all." The comment on chap. v. 19, "For as by one man's disobedience many were made sinners, so by the obedience of one, shall many be made righteous," is thus summed up, p. 127, 128. "The sense of the verse is this: 'As in consequence of the sin of one, the many became sinners, without explaining the mode in which it is done; so the many became righteous in the mode and on the terms which are explained? *Righteous.* Justified. Free from condemnation.'"

5. p. 182. "*It is God that justifieth.* That is, who has pardoned them, and admitted them to his favor: and pronounced them *just* in his sight."

6. p. 217. "The moment a sinner believes, therefore, he is justified; his sins are pardoned: and he is introduced into the favor of God."

The inconsistency of this with Standards is evident. Con. XI. i. ii. iii. Lar. Cat. 70, 71, 72, Sh. 33. See Scriptures quoted under IX. and Rom. vi 16—18, 19. 1 Pet. i. 14—22.

On this point the court below was divided in opinion. Some of the Presbytery thought that the author did mean to exclude Christ's active obedience from the doctrine of justification entirely; others though that he did not. It was alleged by one, that on this point he held the doctrine of the New-England divines, viz. that justification consists of pardon only. Now I wish to ask whether there is any positive merit in mere suffering? Any thing in it to entitle any one to a blessing? Or whether reward must not be the effect of legal obedience? Surely it is the doctrine of reason and of the Bible that heaven and eternal life are the reward of Christ's obedience. His sufferings lifted his people up from the gates of death, but it is his active obedience which raises them up to the joys of heaven.

I am not well acquainted with what is called the New Divinity; but I believe it to be contained in that book. Certainly it is new to me: and as new, I think, to the Presbyterian Church and to the Confession of Faith. I find here a system of doctrine—a combination of cognate tenets which pervades the book from one end to the other. I invite the attention of the church and of this Synod to the systematic nature of error. One error implies another, and the whole hangs together. It might perhaps be difficult

to sustain the third charge, if it is taken alone and independent of all the other points maintained in this volume: but as taken in connexion with the rest, it is easily substantiated. If it be so that a new theology from the east is taught by Mr. Barnes, then the charge of aggression does not belong to me. I indeed brought the charges in this prosecution; but who brought into our church the new theology? I rest upon the broad fact that it is the bringing in of this new theology which has produced all the agitation which now distracts the Presbyterian church. Before this new doctrine was brought among us, there was no difficulty—we enjoyed comparative peace. This none can deny. Is there a man made who will venture to deny it?

But it is asked, Will you insist on trying a man for a mere difference in the use of terms? for the mere technicalities of theology? This I am aware has been objected against the present prosecution: and it has even been held to be a high iniquity to distract the community about mere words. But I ask, is this a mere difference in words? I have heard it said again and again, we agree as to the substantial facts of the case. Nay, one brother solemly appealed to Jehovah, declaring that both sides believed in substance the same things. And I am asked, will you take a man ruggenly to task for the exposition of a word? The objection looks plausible. But if the dispute is about a word, I ask, who brought this word in here? I throw back the *argumentum ad hominem.* Are the words also which it is said we are disputing new? Are they terms unknown to the Confession of Faith? If then the dispute is about words, in the name of truth, why press upon us these new words that cause so much dispute? Who is it that distracts the church about words? Is it we, or is it they who have brought them into the church? If these words have caused all the uproar, then in the name of heaven I beseech you, take them away—take the new words away, and you take the dispute away. If there is no essential difference of meaning between us, why insist upon expressing the old meaning in new terms? Why not stick to the old phrases, and thus put out the fire? Nay—we heard the appellee declare that he had not changed any of his principles—though he had changed a few terms in the new edition of his book. I apprehend, therefore, that the present dispute is not about words, but things. That when you vote on this appeal, you will be deciding between truth and error. But if the author of this book thinks that the dispute is merely about words, then he will, of course, acquiesce in your decision: a result that will certainly be very desirable. If those who have rent the peace of our Zion, will take away

the new and strange words they have brought in among us, (and they can easily do it,) then peace will again dwell in our tents and prosperity within our palaces. Then we shall again dwell in unity, and be a band of brothers. But there can be no solid, no permanent peace, except from union in the truth. And, brethren, how glorious would such a peace be. Then misapprehension, and mutual recriminations, and evil surmisings, and evil speakings would be far away; and the whole Presbyterian church in the United States would feel and act as one man. Ah, what would she then be? what might she not then accomplish? United by the bonds of this confession, she could soon spread the gospel of God over the whole earth. She possesses abundant power, were not the sinews of her strength weakened and cut asunder by the controversies that divide her children. May God grant us a speedy return of union and peace: and such, I doubt not, will be the result of a righteous decision of the present cause.

Dr. Junkin having closed his argument,

The Moderater inquired: Is the appellee in the house, and ready to answer as one of the original parties?

No answer was given.

Mr. R. Breckinridge. I move that it be entered on the minutes, that the appellee being called upon, did not answer.

Dr. McDowell. Would it not be better to ascertain whether he is present, and if not, to send for him?

Mr. R. Breckinridge. I move it be entered, that he was called upon, and did not answer; and that the 2d Presbytery be called upon to say whether they have any thing now to offer in defence of the judgment given by them in the case of Mr. Barnes.

Dr. J. Breckinridge. Unless we intend to issue a formal citation to Mr. Barnes, there is no need of any further step now in relation to him: but it is the proper time for him to be privately notified that he has now an opportunity to come forward and reply, if he is so disposed.

Mr. R. Breckinridge. If he is here, I move that he be heard: but I am wholly opposed to sending for him.

Moderator. The Moderator conceives that the duty of the Synod is done, when the original parties have been called upon to speak. He now calls upon the members of the inferior judicatory appealed from, to render reasons, if any they have, in explanation or defence of their sentence.

Dr. McDowell. Is it imperative on them to say something? or is it only meant that they have the privilege, if they choose, to avail themselves of it?

Moderator. They have the privilege; but they are under no obligation to exercise it.

Dr. Ely. I have an answer, in the name of the Presbytery, which, with the leave of the Moderator, I will read.

Dr. Ely thereupon read the following:

"In obedience to the call which they have received from the Rev. Synod of Philadelphia, to appear and be heard in explanation of the grounds of their decision in the case of the Rev. Dr. Jenkin against the Rev. Mr. Barnes, the 2d Presbytery of Philadelphia appear at the bar of this Synod, with an earnest desire to avoid all contumacy in the case, and all disrespect to their superiors in the Lord; at the same time the Presbytery declare that their reasons for not taking part in the present trial have already been submitted to this Rev. judicatory. If any requisition is still made that this Presbytery shall take part in the trial now pending, we again respectfully appeal and complain of the proceedings against us to the next General Assembly.

By order of Presbytery:

John L. Grant, Moderator.

York, Nov. 2d, 1835.

Mr. R. Breckinridge. The offer of reply is made to the members of that Presbytery individually, not as a Presbytery.

Dr. Ely. They can come *en masse*, if they please. They choose this mode of reply.

Mr. Winchester. I move that the reply of the Presbytery be put on the record of Synod.

Mr. R. Breckinridge. Is it signed.

Clerk. It is not signed.

Mr. McCalla. If you record it, the court above will consider you as having recognized this paper as an appeal and complaint.

Mr. Winchester. I wish it read again.

[The paper was again read.]

Mr. R. Breckinridge. I hope the Moderator will call upon those who introduced the paper, to have it signed.

Dr. Ely. I am very willing to sign it. I can bring up the whole Presbytery, thirty strong, if it will gratify the brother, to show and prove, by oath if he wants it, that I was ordered to present the paper.

Moderator. The other previous steps having been gone through, it now only remains that the roll be called, that the members of Synod may have an opportunity of expressing their views of the whole case.

The name of Dr. Green having been called,

Mr. McKinney suggested the expediency of beginning at the other end of the roll. We have heard, said he, as yet, but one side only: if we begin the call at this end of the roll, we shall, for some time, hear only the views of those who are on the same

side with the appellant; but if we commence at the other end, we shall the sooner hear those brethren who are of a different opinion. I move that the call commence at the other end of the roll.

Mr. G. W. Kennedy. I hope we shall not begin at the lower end of the roll; there are many of us quite young men, and we should prefer first hearing the views of our seniors.

The question being put, the Synod was about equally divided; whereupon Mr. McKinney withheld his motion, and the roll was called in the usual order.

Dr. Green.

I don't know that in the whole course of my long life, I ever felt such a weight of responsibility attaching itself to any act touching ecclesiastical concerns, as presses upon me at this moment. Nor is this a mere temporary thing. It is a feeling which has followed me for these three years past. Mr. Barnes's commentary on the Romans, is little else than an expansion and vindication of the doctrines contained in his sermon entitled "The way of Salvation." I have compared the two since this discussion commenced, and in reading his book I find that every essential principle which it contains was previously imbodied in that sermon. The case has rested in my mind for a series of years. After having read not the whole of his book but a considerable part of it, in order that I might take in the course of his reasoning, I then selected some parts, where all, save one, of the points of his system are brought forward, which are discussed in his book. Before this discussion commenced, I had drawn out my views on those points, and on their contrariety to the standards of our church, and had handed them to the brother who is the appellant in this cause. Since the present discussion has been in progress, I have most attentively followed every speaker, and listened closely to every word, (as I should gladly have listened to the appellee, had he chosen to address us,) and I think the appellant has sustained the charges, every one of them which he brought in the court below; and has no less established another charge which is contained in my paper which I handed to him, but which he did not bring forward in a distinct form. I will not now mention what it is. I had however no conversation with the appellant previously to the trial; none at all. I know not what I should say more. I have no partiality in the case, and I should highly criminate myself if there were any such feeling in my breast. I was compelled, in the city of Philadelphia, to take a leading part in the discussion, and never did I do anything so reluctantly. I have formed my opinion after much thought, much consideration, and I hope, some hum-

ble prayer to the great Fountain of Light; and my opinion is that this book stands in direct antithesis to some of the fundamental doctrines of our Confession of Faith. He denies the whole doctrine of imputation of Adam's sin to his posterity: and although he does not deny the imputation of Christ's righteousness to his spiritual seed, yet, as he wholly omits it, and as what he does say on the subject is against the imputation of Christ's active obedience, it appears to me that Mr. Barnes does not hold that doctrine which was so truly designated by Luther as *articulus stantie et cadentis ecclesias*. That we are connected with the Redeemer, and indebted to him, somehow or other, for our salvation, it appears that he does hold: but the imputation of his righteousness to believers I must conclude he does not hold.

Mr. W. Latta.

I have endeavoured, during the progress of this trial, to strip myself of all partiality, and it is my opinion that the charges of the appellant have all been sustained. I had thought of speaking at some length in relation to them, but I do not believe that I could make the matter more clear than it is; and as we all wish to save the time of the Synod, I will add no more. I believe the charges have been proved.

Mr. Potts.

I did intend to give a silent vote: but I deem it my duty to express the firm conviction of my mind that the doctrine of this book in reference to the imputation of Adam's sin to his posterity, is nothing more than an extension of the doctrine advanced in Mr. Barnes' printed sermon, entitled "The Way of Salvation." I should have been extremely glad to have found Mr. Barnes subjecting himself to the requisition of Synod, and coming forward to vindicate publicly the doctrine he has promulgated. The causes why he has not done so are best known to himself and to the Presbytery of which he forms a part. The facts stated, and the illustrations given by the appellant, compel me to vote that the decision of the Presbytery is not in accordance with the evidence now placed before us; and I shall therefore sustain the appeal.

Mr. McCalla.

My opinion is that the charges have been proved, and that the appeal ought to be sustained.

Mr. Janvier.

I have given the utmost attention to the evidence and the argument submitted to Synod, and have endeavored to see whether some of the charges could not be dismissed for want of proof, but I find they are all so linked together, that they must all share one

fate. The *proton pseudos*, the great fundamental error of the whole scheme, is the denial of the imputation of Adam's sin.

Mr. C. Williamson.

I believe that the whole of the charges have been sustained.

Mr. Winchester.

If I understand the charge, it was, that in Mr. Barnes' book are taught doctrines in contradiction to our Confession of Faith and to the Scriptures. I take it for granted that our standards are according to the Bible, and my conviction is that the doctrines in this book are not taught in our standards, but that just the opposite is taught. I do not think it is for us to decide whether those doctrines are taught in the Scriptures or not. I know that this is the popular impression; but I look at our ordination vows. I did solemnly say that I believed all the doctrines taught in the Confession and Standards of the Presbyterian church: I made no reservation. I cannot believe the doctrines in this book are according to those standards, and therefore not according to the Scriptures. My judgment is that the charges are sustained.

Mr. Parker.

I believe the charges have been fully sustained.

Mr. J. Grier.

According to the sentiments expressed by Dr. Green, I believe the charges are sustained.

Mr. Harned.

From the beginning of this business I have felt peculiar sympathy with the accused. I have known some of the difficulties and temptations he has fallen into; and all my prepossessions were in his favor: but on hearing the charges, and the argument of the appellant, I asked myself whether any man subscribing the Confession of Faith and taking the ministerial vows, he had taken could, lay his hand upon his heart, and say that this book is in accordance with the Confession he has solemnly sworn to maintain? I entirely believe, as I shall answer it at the bar of Jesus Christ, that the charges have been fully made out, and that the appeal should be sustained.

Mr. Bradford.

If I could possibly get rid of the performance of an imperative duty, my age and inexperience might perhaps excuse me: but my ordination vows compel me to act. I attended the trial before the inferior Judicatory; and I have with equal care attended to what has been said here; and my solemn conviction is that the appeal ought to be sustained.

Mr. Macklin.

I think the appeal should be sustained: but I also

wish to express my opinion of the dangerous nature of those errors which have been proved against the Appellee. I remember that I am one of those who watch for souls as they who must give an account: and however humble, still that I am set as a watchman upon Zion's walls, and must give the alarm when an enemy approaches. The enemy has often crept into the church of Christ unawares. It has long been my belief that in the last days, the church must go through trials precisely of this kind—that men will bring in damnable heresies, and in such a way too as to deceive, if it were possible, the very elect. The Providence of God has thrown me here: and I am fully convinced, from the evidence of my own eyes, that if these errors shall continue to make progress, the Presbyterian Church, as such, will no longer have an existence in this land. If the doctrines I have taught, be Presbyterian doctrines, and be the truth of God, then must the doctrines in that book be false, and anti-Presbyterian. The one or the other must fall. Knowing from the history of the church how progressive error has ever been from the days of Paul to the days of Arius, and from his time to those in which we live, and over all the face of the church, in all countries of the old world and the new, and that unless error be corrected, and these innovations be put to a stop to, and we return to the good old way, the result must be endless confusion, I hold it our duty to act with decision on the case before us. I believe that the appeal ought to be sustained.

Mr. Elliot.

A week has scarce elapsed since I was ordained, and it is consequently but a short time since I carefully read over the Confession of Faith in immediate contemplation of the vows I was to take: and my judgment is that the opinions expressed in this book do not accord with those in the Confession. I think the appeal ought to be sustained.

Mr. Ramsay (missionary to India.)

One day, in Bombay, I was reading the Testament with my Pundit, and we came across the passage where it is declared that "*all* flesh shall see the salvation of God." The Pundit said, "I believe that doctrine. You are a Christian and I am a Hindoo: but I believe that all men not only, but all the cows and horses and dogs in the whole world will be saved." From this verse of the Bible he undertook to prove that all the dogs and cats should go to heaven; and insisted that it was declared in our own Scriptures. I told him that that was not the meaning of the words "all flesh" as used here. I adduce this fact to shew what different interpretations men will sometimes attach to the same text of Scripture. As

to this case of brother Barnes, I have heard one side, but not the other. As a missionary, unconnected with any party, I must say that until I have heard what brother Barnes has to say, I cannot decide that the charge has been sustained. I was present at the Presbytery a few days during the trial, when I heard Dr. Junkin urge and explain several heads of the charge, and I heard Mr. Barnes repeatedly say that he did not believe or maintain what Dr. Junkin charged upon him. I cannot vote, in the lump, or indeed at all, until I hear from the accused what it is he does believe and mean to affirm. I cannot vote 'sustain' or 'not sustain.'

Dr. Mc Dowell.

If I could be satisfied that you have the case fully before you, I should know what opinion to express without hesitation: but there is a difficulty which still presses on my mind. If all the evidence was here which could be given I should without hesitation give my opinion in the case. I believe that the appellant, in his statement as now submitted to us, has proved that Mr. Barnes believes all sin to consist in voluntary action: that he denies the covenant of works, the federal Headship of Adam and the imputation of Adam's sin to his posterity: and if I could vote on such evidence as has been submitted to us, I should vote to sustain the appeal. I believe there are errors in his book on the Romans, important and dangerous errors; but I do not know whether, if the rebutting testimony were heard, he might not be able to bring such counter evidence from other passages of his book as would convince me that he did not mean to assert these positions. We are not to settle the question of his consistency as an author; with that we are not concerned: but I think we infer some things from his language which I doubt whether he holds. I heard it said by the appellant, as he was proceeding in his argument, that some points of his charge were admitted by Mr. Barnes: while, at the same moment, there were members just behind me who were present at the trial, and who affirmed as confidently that Mr. Barnes did not admit them. Which of these authorities am I to believe? Mr. Barnes is not here to explain: I cannot say but that he and his Presbytery have taken constitutional grounds in refusing to answer: be that as it may, however, I am in the dark as to facts; and under such circumstances I dare not vote to sustain the appeal. If Mr. Barnes admitted the evidence to be sufficient and to be correct, I should then say, sustain the charges throughout.

Dr. Neill.

I have paid a good deal of attention to this case for

the last six or eight months: and have carefully read those parts of the Notes on Romans which bear on the points attempted to be made out in the charges of the appellant: and am free to say, that I could not, by any explanations I could conceive of, make them consistent with the avowed doctrines of the Presbyterian church. This was my view of the matter before the trial was had. Since then I have extended my reading in the work itself. I have carefully attended to the charges of Dr. Junkin, and have read a great deal on the subject: and I remain still under the same impression as before. I love brother Barnes; I fully appreciate his worth: but I believe that he is mistaken on these points of doctrine. The impression is strengthened on my mind that there is error, serious, dangerous, I do not say fatal, or radical, contained in this book. I believe that there are pious men who hold the same views: but that is not the question we have to decide. All we have to determine is, whether these views are in accordance with the standards of our church. That is the gist of the question. I am free to say this much. I wish to say, in addition, that I have felt with great solemnity the responsibility under which I act. I know my own weakness, and I wish that the other side could have been heard. I feel, and have felt from the beginning, that neither the common understanding of mankind, nor the spirit of our institutions, nor the law of Jesus Christ, nor the law of the land, will endure that a man should be condemned without a hearing. I know that in the present case it seems to be the fault of the man himself, and of his friends, that he has not been heard. Nor do I mean to cast the slightest reflection upon the Synod. I do not, indeed, see how we could have done otherwise, thus far. But while there are different opinions as to the suppression of the Presbytery's records, and as to Mr. Barnes' concurrence in such suppression, still it is claimed to be done on constitutional ground. I will not stop to argue that point with our brethren: I believe, however, that the record ought to have been produced. Yet, under all circumstances, I do think it will not be for the permanent good of the church for us to go into a final decision of the case. I am sure that if we decide after having heard but one side of the cause, our proceedings will scarcely pass before the court above. On this ground I know not that I shall be able to vote. But, as far as I am able to understand the doctrines contained in the Confession of Faith and in this book, and as far as I have heard the argument adduced on one side of the question, it does appear to me that the charges are made out. Some, however, are not of very great consequence: such, for instance, as that in reference to the extent

of Adam's knowledge: although I admit that the design of these passages would seem to be to show that no covenant was made with him. As far as we have light, I think the charges have substantially been proved: but I doubt whether it is expedient that this Synod should come to a vote as to the extent of error proved.

Mr. Boyd.

I have no qualms of conscience in respect to the testimony. I must believe that the whole of the testimony worth hearing has been before the court. The appeal ought to be sustained.

Dr. Cuyler.

I was never, in all my life, placed in circumstances where, but for a sense of incumbent duty, I should be more reluctant to give an opinion. But, standing, as here I do, as a judge of a court of the Lord's house, I feel the imperious duty which presses upon me. I did not hear the trial in the court below: I declined being present at it: but I have read Mr. Barnes' book, and the charges founded upon it, and so much of the testimony as has been adduced; and I have also read our Confession of Faith and both the Catechisms, on the points involved in this trial: and have endeavored to compare the charges with the proof from the book and from our standards; and I do deliberately believe, before God, that the charges have been made out, and that the appeal is sustainable. As to the difficulties which have been felt and expressed by some of the brethren, they would certainly have great force, if, by any act of God in his providence, the appellee was deprived of the opportunity of being present to answer; but the appellee has voluntarily waived every advantage he might have derived from an explanation in reply. I never regretted the hearing of a trial more deeply: but still I believe that the court was right in proceeding, notwithstanding all objections. I am persuaded it will be for the peace as well as the purity of the church, that this appeal should be issued, and leave the result, to ourselves, in the hands of One who is perfect truth and faithfulness, and who is to be the final Judge both of us and the accused.

Mr. Belville.

I have felt some embarrassment because any judgment we may give will be *ex parte*; but I am greatly relieved from the fact that all the testimony needed by the accused is in his own possession, viz. the book itself, and his own argument founded thereon. I am compelled to sustain the appeal, not because all the charges have been made out, but because those which are of the most consequence, viz. Mr. Barnes' rejection of the doctrines of representation and imputation have been clearly established.

Mr. Adair.

It appears to me that our citation as judges compels us to go, in our decision, upon the testimony alone. I shall not proceed, in the vote I may give on this occasion, upon anything I may have previously thought upon Mr. Barnes' case, at home. Now, according to my impression of the matter, we have the testimony on one side only; so that if I am driven to a vote, I must vote *ex parte*. If I were driven to that necessity I should certainly say that Mr. Barnes is guilty of a denial of all the leading doctrines in our Confession of Faith; and not only so, but of all the most important doctrines of the Bible also. But it is a very different thing to decide upon a mere one-sided statement of the case, and to have the accused before us and decide after hearing his explanation and defence. Suppose that any member of this body were placed before us for judgment, and that the truth of the Confession of Faith, or of the Word of God itself were to be tested by the result, I am sure there is not one man here who would suffer either to be put in jeopardy by the cunning and the argumentative adroitness of an infidel. They would insist upon a reply. But if the confession and even the Bible itself might receive injury under such circumstances, is it wonderful if this book of brother Barnes' should be in danger of being misrepresented? I confess myself utterly at a loss to form an opinion in the case: but if I am driven, without further proof, to make up and express an opinion, it would be this, that Mr. Barnes holds opinions I never suspected, and deserves not only deprivation of his office, but to be cast out of the christian church. There have been some things said of this book which require to be noticed. It has been said that the book is full of contradictions. If this is so, then admitting that in some passages it does teach what is contrary to the Confession, brother Barnes might possibly be able from other passages to show, with equal or superior evidence, that it teaches the contrary. It has been truly said that if Mr. Barnes seems at contradiction with himself, the fair mode of interpreting his book would be to take all its parts together and make out a sense in which they will all agree, as far as may be practicable. I have proof that it has been said the book is very contradictory in its sentiments: while that is the case I am not at liberty to form an opinion from certain passages selected out of it. I admit Dr. Junkin has established by positive evidence some of the charges advanced by him, provided there be no rebutting testimony. The first point charged is that Mr. Barnes maintains that man is able to keep the commandments of God. Now I hold in my hand a review of Mr. Barnes' book contained in the Bibli-

cal Repertory, a work published under the sanction of Princeton Seminary. In page 22 of that work, (I quote from a pamphlet form of the review,)

"The third doctrine on the subject is presented in our standards in this form: 'That no mere man, since the fall, is able, in this life, perfectly to keep the commandments of God.' It is an inability, which, arising out of the sinful state of the soul, is entirely inexcusable. It is that of which every man, whether saint or sinner, whatever may be his philosophy, is conscious. It is that of which Paul speaks when he says 'how to perform that which is good I find not.' Rom. vii, 18, and again, 'These are contrary, the one to the other, so that ye cannot do (me poiete) the things that ye would.' Even this opinion Mr. Barnes seems to recognize as correct."

This shows me that I am unable to form an opinion under present circumstances. Here is a writer of no mean standing who declares that Mr. Barnes admits what Dr. Junkin alleges that he denies.

Another charge is the maintaining that faith is an act of the mind. But the reviewer thinks there is no harm here. Mr. Barnes says:

"Faith is always an act of the mind. It is not a created essence placed within the mind. It is not a substance created independently of the soul, and placed within it by Almighty power. It is not a *principle;* for the expression 'a principle of faith' is as unmeaning as a principle of joy, or a principle of sorrow, or a principle of remorse."

On this the reviewer observes:

"There is no harm in this remark, any more than in saying faith is not a house or a tree, or a river; which, we presume, has been as often held and said as that it is a created essence, or substance created independently of the soul. The subsequent sentence about *principles*, however, seems to intimate what otherwise we should have been slow to imagine, that the remark in question was designed to have a bearing on the question whether dispositions and acts admit of being properly distinguished. As such we are willing to let it pass for what it is worth. We presume that the expression 'principle of faith' which sounds new to our ears, if used at all, is to be understood as Mr. B. wishes it to be understood, when he tells us (page 103) the faith of Abraham and that of christians, 'is therefore the same in principle, though it may have reference to different objects."

Again it is charged that Mr. Barnes holds faith to be imputed for righteousness. Suffer me to show how incompetent I am to decide upon the difference between great men, who so widely differ, while the accused party is himself absent. In the review it is said:

"The important expression in Rom. iv, 3, &c., 'Faith was imputed for righteousness,' Mr. Barnes explains in several different, and, as it appears to us, inconsistent ways. But (continues the reviewer) Mr. B. in his subsequent remarks says expressly, 'Faith is not the *meritorious ground* of ac-

ceptance, for then it would have been a work. Faith was as much his own act as any act of obedience to the law:' and again, 'Faith is a mere instrument—a *sine qua non*—that which God has been pleased to appoint as a condition on which men may be treated as righteous.'"

The next point is the doctrine of imputation, which Mr. Barnes is accused of denying *in toto*. But the reviewer, after stating some of the objections to and misrepresentations of this doctrine by Mr. Barnes, speaks thus:

"Notwithstanding all the objections urged against this doctrine, and the obloquy which he endeavors to fasten upon it, Mr. B. *teaches* it, to its full extent. On page 122 he says, 'Men are indubitably affected by the sin of Adam: as, e. g. by being born with a corrupt disposition, with loss of righteousness, and subjection to pain and wo.' Here are evils, (continues the reviewer) indescribably great and dreadful, which are declared to come on all men, prior to all agency or concurrence of their own, for a sin committed some thousand years before their birth, and beyond their control. Farther than this who would wish to go? Farther the Scriptures, the reformers, our own standards, and the great body of old orthodox divines do not go."

Is not language like this, proceeding from men never reproached with, or suspected of heresy, calculated to throw me into embarrassment?

Again: from the statements and argument of Dr. Junkin it would seem that Mr. Barnes denies the doctrine of total depravity. But the reviewer, after speaking of Mr. Barnes' inconsistency on this point, and observing that in language he denies the doctrine, adds as follows:

"He teaches, however, the old orthodox, and almost universally received doctrine on the subject, in terms no less explicit. On page 122 he says, 'In like manner, although men are indubitably affected by the sin of Adam; as e. g. by being born with a corrupt disposition, with loss of righteousness, with subjectment to pain and woe, yet there is no reason to believe that they participate in the direct effect of sin, in eternal death, without being personally transgressors.' What more could any one desire? (asks the reviewer.) This is nearly the definition of original sin as given in the Confessions of the Reformation. This language cannot be understood otherwise, than as teaching that men are born destitute of righteousness and with a corrupt disposition."

Now if Mr. Barnes teaches "in terms no less explicit" the orthodox doctrine concerning depravity than the terms in which he denies it, how can I condemn him till he explains? If the Repertory comes forward and declares that Mr. Barnes teaches all the doctrines which he is accused of denying, and if he is absent under a formal protest against our mode of proceeding, and, as he thinks, on constitutional grounds, I cannot say that he is absent contumacious-

ly, nor can I pass sentence on his doctrine. Suppose a man comes to me and claims five dollars: I doubt whether his claim is just, and the case goes to court. Am I to be held guilty of fraud in the meanwhile, before there is any legal decision of the claim? Surely not. And, as Mr. Barnes absents himself on what he claims to be constitutional ground, I feel embarrassed in pronouncing upon his case. Nor dare I convict him of denying the fundamental truths of the Confession and of the Bible, and of being almost a Socinian, so long as the editors of the Repertory, those orthodox men, justify me in holding the opposite opinion.

Mr. KENNEDY here rose to a point of order. It had occurred to him that if the paper were read on which the Presbytery had proceeded to make up their decision it might go far to relieve some minds.

MODERATOR. That paper has been read.

Mr. GIBSON.

I was a spectator of all that passed in the lower court, and I can say that Synod has all the testimony before it which was exhibited before that court. I could indeed have wished that the appellee had appeared before us and defended his cause. And I had hoped it would have been so, when I heard the eloquent appeal he made to his own Presbytery, on the evening of the day on which they refused their records for our use. I heard him then say that if those records were all before you, and the trial should be orderly conducted, he was persuaded the whole Synod would be convinced that he was guiltless of the matters charged against him. Mr. Barnes then seemed to wish a decision in his case, and did not appear desirous of taking any appeal. If this decided opinion of Mr. Barnes did not of itself present to his Presbytery one of the strongest appeals that could be addressed to any body of men, I am entirely deceived. And sure I am that if such an appeal as that then made had been addressed to any other Presbytery in our body, if it had been made to the old Presbytery of Philadelphia, or to the Synodical Second Presbytery, and had been rejected, the whole community would have lifted up their voice against such a proceeding. But as the Assembly's Second Presbytery are all the personal friends of Mr. Barnes, it must be considered as intended as a measure of favor to him. But certainly his appeal to them was one of the strongest I ever heard. But, apart from all this,—having heard the proceedings in the lower court, and having now attentively listened to all that has been said by the appellant in support of the charges, I am compelled to say that, in my judgment they are sustained.

Mr. Durfor.

I am asked to give a vote, and I now appeal to my own conscience and to the searcher of hearts, while I declare, in respect to the doctrines here promulgated by Mr. Barnes in his book, that ever since I have known any thing, and have been able to search the Scriptures for myself, I have been persuaded they are contrary to the doctrines of the Bible, and to those contained in our Confession and Catechisms. And I do believe they were intended, or at least that they have operated, to break up and destroy the peace, harmony and union of the Presbyterian church. I shall vote, therefore, to sustain the appeal.

Mr. Andrew Brown.

I was first led to pay attention to Mr. Barnes's book, by reading the sermon he published, entitled "The Way of Saivation." I have, since then, partially examined his Notes on the Romans, and I find therein statements expressly contrary to the standards of our church and to the word of God. I do not think, as some of the brethren appear to believe, that this proceeding and all the evidence are wholly *ex parte*. It is Mr. Barnes's book that is on trial: and it is the book itself which is the evidence: and, from what I have read and what I have heard, I am fully convinced the appeal ought to be sustained.

Mr. McMaster.

I have been deeply wounded by the course of the accused. My expectations have been wholly disappointed. I did expect that Mr. Barnes was about to pursue a very magnanimous course, that he was coming forward like an honest and fearless man, to give a fair exposition of his views, resolved, that if his brethren should find him wrong, they should at least find him honest and honorable. I derived this expectation from the declaration of Mr. Barnes, that he was ready for trial. And when I found that Presbytery withholding from his hands and from ours documents which they supposed important to the conducting of the trial, I began to suspect that there was, on their part, some design to injure a man who was disposed to cast himself fairly and openly on the knowledge and integrity of his brethren. But I am sorry to perceive that he seems exactly to have calculated his distance and so to have trimmed his toes, as to stand precisely where he could evade his declaration of readiness for trial by an explanation. Why his brethren have withheld their records, is not for me to say; but it would seem that they had some expectation of taking advantage of the embarrassment thus thrown upon the prosecution. It strikes me that you have taken unnecessary pains to preserve the rights of the accused, after he and his

friends have openly declared that they would, that they meant to, withhold from you papers necessary to the regular issuing of the cause. Supposing a man charged with a felony should withhold the evidence which was necessary to clear him, what would any court do? would they go about seeking to obtain other testimony for his acquittal? I trow not. Mr. Barnes's friends are performing to him what the shirt of Nessus did to Hercules: they have poisoned him by their counsel. There are two ways of gaining a cause. Sometimes the accused endeavors to rise above the judgment of the court, by courting public opinion and getting it on his side. This is a promising road to success: for there is something in the heart of all Americans which rises in a moment to resist all that is called oppression. I am not quite sure but there may be some such design here. But what surprises me beyond all description, is, that objection should be made to trying a man when he is absent by his own choice, and when his friends, with his assent, withhold what is necessary to vindicate the rights of a good conscience. And after all, of what great avail would his defence have been to him? Laying aside all evidence on his part, the appellant laid before you proof, of a nature that could not be questioned. He added one passage to another from the book of the accused, and then citing the Confession of Faith, showed that the two were in direct opposition to one another. Is any one of us so destitute of common sense, that, when we see the doctrines of a book set in opposition to the doctrines of the Confession of Faith, we cannot tell the difference? Mr. Barnes, man of talents as he is, could never put such explanations on his language as to prevent our seeing such a direct contradiction. They who suppose he could, must surely suppose us to be downright fools. There is one reason on account of which I could regret that the accused has not been present: I should have liked to ask him some questions, and to have seen whether he would not have been compelled to run into a far more dangerous philosophy than any which he has charged on the Confession of Faith. But while these errors are quite dangerous and alarming, there is one thing which grieves me most of all. The opinions of Pelagius, while confined to a few volumes of polemic theology are comparatively obscure and little known but here they are introduced into a volume which is intended for the hands of our offspring—and where they will make impressions which the best and soundest of teachers will never be able to remove. And all this is placed side by side on the same page with the sacred text as a gloss upon its meaning. This, indeed, is truly painful. That mischievous error

should be wrapped up in a book which professes to furnish an exposition of the holy Scriptures for the youth of Sabbath schools and Sabbath school teachers, this is most afflicting. For if the opinions declared in that book are true, I am ready to say of it, as one of the ablest men of our day did say—If any man will take these doctrines out of the Bible, I will willingly give him up all the rest of the book, and run my chance without either. But that the book contains God's truth, is a conviction which can never reach my understanding. I do believe that the charges of the appellant have been most fully supported. I do not believe, if a man were as subtle as man ever has been, and as ingenious as the evil one himself can teach him to be, he can ever contravene or explain away the evidence which has been laid before us. The man who could write such a book, must, it seems to me, have a most oblique mind. He cannot look directly at truth. He seems every where to make his own reason the rule of his belief, rather than the sacred standard of revealed truth, to which all truly enlightened reason is ready ever to refer its conclusions, and to which every renewed heart will ever promptly bow, although what it declares may be ever so contrary to all our previous feelings and conclusions.

The man who has not a heart to believe what God teaches, has not the heart to be a Christian. I cannot avoid the conclusion that the appeal should be sustained. There is one thing which calls upon you to give not indeed a precipitate, but a fearless decision. Consider, if you defer this cause, how long it may hang undecided. Ever since this man entered our body, there has been a perpetual discussion respecting all the points contained in this book. Seed is sowing all over the church which may lead to errors yet greater and more dangerous; errors, that may prevail among our posterity long after this immediate controversy has been laid in the dust. By ending the matter now, Synod may be influencing the future fate of millions. Shall we, then, suffer the evil still to continue and to spread? I trust not.

Mr. James Latta.

The times and the seasons in which we live demand the attention of the Synod. They are such, that a book like this must, if true, do a great deal of good, and if untrue, a great amount of evil. We all rejoice in the establishment of Sabbath schools and Bible classes, and their almost universal extension. That a proper commentary on the Scriptures, in a convenient and portable form, would be extremely useful, all agree. In these latter respects, the books of Mr. Barnes have peculiar advantages, and in consequence have obtained a very extensive circulation

The first two volumes received the general sanction of our Sabbath school instructors, and a third was looked for with anxiety; and were it calculated to benefit the rising generation, its diffusion could not but have the most salutary effects. It becomes us, as judges in this cause, and as those whose office makes them guardians of youth and shepherds over the lambs of Christ's flock, to remember that our places must soon be filled by others, and that while we tarry here, it is our duty to provide truth for the young and protect them from error. But that this book contains radical errors in doctrine, I am thoroughly convinced; and that it is of such a character that we cannot safely recommend it to those who are looking to us for instruction. Such being the case, it becomes us, as a Synod, to bear our testimony against it, and to do so speedily. Some of those who would have united most readily in such a testimony, have gone the way of all the earth: but we who yet remain, should be prompt in performing our duty. No doubt it might be very pleasant to us to throw this task on the necks of the General Assembly; but, in the meanwhile, this book will be making its way into our Sabbath schools and Bible classes, carrying with it its pernicious errors. We are called on to bear witness loudly and immediately. However unpleasant may be the task, and whatever may be our personal attachment to the author of the book, whose manners and deportment are peculiarly insinuating, we are called on to love Christ and his gospel better than any son or brother, or than even our own lives Admitting the book to contain some truth, it is so interwoven and mixed up with error that they cannot be separated: that it contains errors none can deny: some may think that there is weight of truth enough to bear the errors down; but I apprehend not. That the book contains a regular system of erroneous doctrine, all connected together, is to me as clear as any thing can be clear to the human mind: and unless some power should entirely destroy my intellect, I never can believe that that system of doctrine is in conformity with the standards of our church. I am prepared to bear my testimony against it; and I hope the time is not far distant when I shall have the opportunity.

Mr. Barr.

If I believed that Mr. Barnes holds and teaches the errors charged upon him by the Appellant, I should have no hesitation in sustaining the appeal. That there are errors charged which are in direct contradiction to our standard I am fully satisfied; and that the Appellant has made out a strong case is also very plain. The extracts he has given from Mr. Barnes's book do go far to show that it contains

damnable error I have no doubt. Whether if the rebutting testimony were before us I should still be of the same opinion I cannot say. We are told that the work abounds in direct contradictions: that what is affirmed on one page is in direct contradiction to that which is asserted on another: and while some portions contain the error charged, others as we have heard it strongly asserted, expressly deny the error. Now the General Assembly has ordained that no man shall be condemned as a heretic for the use of language which by a fair interpretation can be made to mean any thing else than heresy. Under these circumstances how am I to tell whether Mr. Barnes is a heretic or not? I have not read his book: it may be that when I do, I shall find that the passages quoted, if taken in connexion with the context, do not convey any fundamental error. I cannot vote on such a case. If I did, I should proceed wholly *ex parte*. This, as I must account to a higher Judge, I cannot do. I do certainly think that both Mr. Barnes and his Presbytery have acted in a most injudicious manner: but, as we have not the whole case before us I cannot vote upon it intelligently, and therefore I shall not vote at all.

Mr. BOYER.

I am persuaded from all the light I have been able to collect that the charges have been established. We have all the testimony before us which was laid before the lower court: we have Mr. Barnes's book, and the Confession of Faith—we have seen them laid side by side, and faithfully compared—and we find them to be at variance with each other.

Mr. PERKINS.

I cannot think that the appeal has been sustained. It is true that I have not read all the book; but I have looked over those parts of it which seem to be the most offensive, and I do not find in them any thing peculiarly new. I have seen the same things and heard them all many years ago. It is well known to all of you who are of advanced years, that there has long been in the church what is familiarly called the New Divinity. The advocates of it used to be called "New Lights"—then we had "New Lights" and "Old Lights:" some time after we had a great noise about "Hopkinsianism:" and now the dust is about "New School" and "Old School." But I rather think they are about the same things we used to have, with some slight shades of difference: and we have had the same disputes for as much as fifty years to my own personal knowledge, for I have been for more than forty years intimately acquainted with the chief men on both sides. I have heard them preach. I have conversed with them in their study. I have preached with them and for them, and I have talked

much with them on the two kinds of divinity which have made so much noise among us: and the conclusion I have come to is this, that both as to the men, and as to their systems of doctrine, there is not half the difference between their heads that they themselves think there is: and as to their hearts, they are pretty much alike. To be sure they like to butt their heads together, but, after all, there is mighty little difference between them in heart. It comes across our pride to be contradicted; and we ministers are very proud. That is what I was told when I was very young, and that too by a man much and ighly respected and beloved by all I have ever no.vn, and my acquaintance has been very extensive. All the older ministers of our church I knew vell. I was long an intimate friend of President)wight, (and I mention this in order to give the nore weight to what I am going to say.) The minister I allude to said to me when I was quite a lad, 'Ministers are the proudest order of men in the vorld." He repeated the remark again and again. studied divinity for a while with him. He had a great deal of missionary zeal, and I went with him on a missionary tour over the Green Mountains and nto Canada. We had a great deal of talk together on our journey, and he told me many things that I never could have imagined.

[Here a member observed that the worthy father had certainly lost sight of the subject before Synod. Mr. P. however went on with his desultory and irrelevant remarks which excited laughter among some and much disapprobation in other parts of the house, until, at length, the Moderator called Mr. Perkins to order. The old gentleman was persisting to speak, when his friends interposed, and he reluctantly consented to resume his seat.]

Mr. Dickey.

I am sorry that it has not been in my power to be in the house during the whole of the discussion; but as I was absent a part of the time, and did not hear all, I cannot vote either for or against sustaining the appeal. But had I been present throughout, I should have felt equally bound to give no opinion, because Mr. Barnes has had no opportunity to present his views to the Synod. I have no disposition, however, to encourage the Presbytery in the position it has taken, or the accused in his reluctance to appear before us in his defence. If he had seen it proper to do so, we should have had a trial calmly conducted; the severe remarks which have been made upon the Presbytery would have been spared, and we should have had a better understanding of what are Mr. Barnes' real sentiments. It may be that one part of his book explains another. I hope we shall come to

no final decision while the trial has been so far from complete. Suppose the accused was on trial for his life, who is there here that would not defer judgment until after he had heard him speak for himself? Paul, we read, was permitted, before a heathen tribunal, to speak for himself: and surely a man's character, above all a minister's, is worth more to him than even his life. I have been sorry to see the prosecution pushed on so hastily, and to perceive that some brethren seem so very anxious, not to say impatient, for a decision. We have no right to impute evil motives to any man; yet there have been many insinuations against the orthodoxy, if not the truth of all who are supposed to favor what is called the New Divinity. I have a venerated friend who has had many conversations with brother Barnes on points of doctrine, and who expressed his belief not only that he was a converted man, but that he received *ex animo* the doctrines of the Presbyterian church, although he adopted terms which that friend did not approve. He said that brother Barnes held to the depravity of the heart, the necessity of the Spirit's influence in regeneration, and the imputation of Christ's righteousness for the salvation of the soul. Now I feel very reluctant to condemn a man whom one I so greatly venerated was unwilling to judge. We ought to remember that we may ourselves be one day on trial for our opinions: none can tell how soon, and none can say how far those who judge us may proceed. It is an inquisitorial spirit * *

Here the moderator called to order.

Mr. D. Do I make any personal insinuation? Have I called any man here an inquisitor?

MODERATOR. I cannot admit such language to be used here.

Mr. D. Well sir, those who choose to give currency to injurious insinuations against their brethren; may do so. Those who are determined to charge all the brethren of what is often called the New School,—because they are willing to hold a man in their affections although he may not receive all the technicalities of a particular system—with heterodoxy and with heresy, may do so; but it is not righteous conduct. We are told in the Bible that the spirit of the gospel is LOVE; that the end of the commandment is CHARITY: I trust we shall all learn this practically: at present, I fear, we are very far from exemplifying it.

Mr. SIMMS.

I feel quite as much reluctance to condemn Mr. Barnes or his book as the last speaker: but he finds one objection in his way that I cannot find in mine: viz. that Mr. Barnes has had "no opportunity" to vindicate himself and his book. Such an opportunity has certainly been offered to him: it has not only

been offered; it has been urged upon him: and he has declined it. If therefore his not answering shall work any loss or injury to his cause, we are certainly not answerable for it. The evidence submitted to us is sufficient to confirm me in the belief that his book contains errors utterly inconsistent with the doctrine of the Confessions and Catechisms of our Church: and not too see this is with me impossible, unless black is white. Nothing short of this will ever prove that the book and the Confession agree.

Mr. Davis.

Those portions of Mr. Barnes' book on which the charge of the appellant are founded I have examined for myself: besides which I have heard, *in toto*, his argument in support of them: and I think it is due to this Synod (than which perhaps a greater, numerically speaking, has never been assembled since the Synod of Dort, nor on a more important subject,) to say a few words in explanation of my views of this case. Certain it is, if *fama clamosa* is any evidence of truth, that Mr. Barnes' book, now under trial, contains the errors charged on it by the appellant, and we ought to consider the effects of this state of things not only on the Presbyterian church, but on all other churches in our land. It is but a few days since a gentleman said to me "you Presbyterians hold sentiments you are ashamed to advocate." And are not the other churches looking with eyes of intense interest to this Synod, which may be considered as a standard body in respect to matters of doctrine, to learn what its decision will be of the important case now submitted to it. If *fama clamosa* may be trusted, thirty thousand copies of this book have already been sent forth into the world, and thirty thousand more are ready to follow. Now whether a book thus widely diffused contains truth is not this Synod able to judge? It is no excuse whatever to say that in voting on this appeal I am not passing judgment upon the appellee in *propria persona*, but upon the book. If Mr. Barnes has not answered the allegations of his accuser, whose fault, pray, is that? We surely are not to answer for that. Did not his Presbytery refuse us these records? and if we are left to proceed without them whose is the wrong? Is it not theirs? and what may not be the consequence, if we procrastinate a decision until after the meeting of the Assembly? Here are thirty thousand copies of the book just ready to go into circulation. Every error it may contain will be widely spread, and those which it is the most difficult to eradicate may thus be implanted in the minds of thousands of our children. Here certainly is a most serious evil. It is due not merely to the cause of truth and useful knowledge, but to Mr. Barnes himself, that there should be a

decision of his case. For myself I have no hesitation in condemning the book. No book ought to be sent abroad into the world which requires its author to go along with it to prevent its being misunderstood. I believe there is not a man here who with his hand upon his heart can say that the book does not contain vital, radical error. I am ready to sustain the appeal—I am fully prepared now at once to give a final and decided vote.

Mr. Davies.

I feel that I am in peculiar circumstances, and so are my brethren of the Synod. I certainly would rather have heard the views of brethren on the other side, and the defence of the accused; but if Mr. Barnes chooses to let his cause go by default, it is surely no fault of this Synod. I cannot relieve my mind from the impression that the party accused not only enjoyed an opportunity, but a most abundant, unobstructed opportunity to argue his own cause; which he did not choose to embrace. I think that his declining to express his views has nothing to do with the final judgment in the case. I look at it in view of the testimony, and of that alone; and I feel prepared to say that, with one exception, (I refer to the 4th charge,) the charges have been maintained. There seems some indistinctness as to the application of the word principle. I cannot believe that when the mind has acted, faith, all faith, is then gone with the action. I believe that having once acted, it will be ready and disposed to act again—and this disposition remaining in the mind I understand to mean the principle of faith. In this sense, certainly faith is a principle—yet there are acts of faith. On the whole, I feel clear in saying that the charges have been established.

Mr. J. Patterson, (an Elder.)

I cannot help remarking that I have been much astonished at the apologies we have heard in most instances for coming to a conclusion without farther testimony. It must be evident that we have sufficient testimony to prove the facts alleged by the appellant. Of this I think no man who calls himself a Presbyterian ought to feel a doubt upon his mind. I certainly have none, whether this man does or does not hold the faith and doctrine of our church and of the word of God. And I think it is time our people were awakened to their danger. I have been astonished to hear reverend clergymen on this floormake a light and indifferent matter of the doctrines taught to the youth of the church. The fact that 30,000 copies of this book are ready to be sent forth to poison the public mind, shows it to be high time that the church knew where she is, and what is threatening her. A

reverend father [Mr. Perkins] has told us that he has long heard these same sentiments maintained by worthy men and eminent ministers, and that there is no great difference between the two systems. This sounded strangely to me. It seemed very much like scattering fire-brands, arrows and death, and then turning about and asking, "Am I not in sport?" "I mean no harm." It is time we went forward to arrest these streams of poison before they shall have done irreparable injury; and I hold it to be our encumbent duty to do so. I am ready to sustain the appeal.

Mr. KIRKPATRICK.

I have heard nothing of this book of Mr. Barnes' but what I have heard since I came into this house. It ssems to me to contain errors which ought to be suppressed: but as I have not read the book, I am not prepared to pronounce upon it. I am not therefore ready to vote one way or the other.

Mr. PENNY.

I think the charges have been fully and honorably sustained.

Dr, J. BRECKINRIDGE.

I have endeavored in the spirit of candor and of justice, and, as I hope, in something of the spirit of prayer, to look at this proceeding in all its successive stages: and you are aware that from the beginning I have been (save on questions of mere order) for the most part, a silent spectator. I feel that it is a solemn and most impressive occasion. I have been desirous that those older and wiser than myself should take the lead in bringing it to its appropriate issue. It is a discussion unavoidably connected with many evils, and one whose results cannot fail to affect, to a very serious extent, not only our own religious connection, but the cause of truth and godliness throughout our whole country. We are approaching an issue of great solemnity, and while I look upon the difficulties and dangers which surround our path on either hand, I confess that my own mind feels exceedingly embarrassed. In such circumstances it becomes me to speak to you my heart with great freedom. However I may be conscious of the difficulties of our situation, still I am for the Synod's doing its duty, whatever that shall be adjudged to be, with decision and firmness, remembering that the eye of the nation, of the whole church, and of the church's Head, are fixed upon us. Let us first do right: and then let us aim to do it wisely and well. As I said, I feel bound, on this occasion, to use some freedom in the train of my remarks; I shall endeavor to be brief, but very frank and undisguised in what I have to say.

The first point which presents itself is the way in

which we have been brought into our present position. The drafter of that resolution of the General Assembly which unites the two Synods into one, was together with myself a member of that body when it last met at Pittsburgh. The Assembly, on that occasion, was, as we must all remember, in the full tide of Old School principles and influences (be they right or wrong) and one of the measures which grew out of these was expected to have a direct and important bearing on the Assembly's Second Presbytery of Philadelphia. As soon as it became known that the advocates of Old School views had a majority of two thirds in that body, and were therefore able to do just what we pleased with regard to that Presbytery, Dr. Ely, a leading member of it, came forward with an overture of peace. Those who were present on that occasion will not soon forget the emotion of general joy with which the proposal was received by the Assembly. Smiles of mutual congratulation were to be seen on every face, and many tears evinced the depth of feeling which was called up by the prospect of having the breaches of our Zion healed. The Assembly had just settled some of the fundamental principles in our system of faith and order, and had re-enacted others before decided on, when this overture from the skilful pen of the brother I referred to made its appearance. Dr. Miller, acting on behalf of the majority, signified their willingness to accept of the proposed arrangement, with a single word of qualification, to which no objection was made. The resolution was received on the understanding, *bona fide*, that to this Synod, constituted as proposed, was to be remanded the adjustment of all existing difficuities in and about the city of Philadelphia. I presume there was not a man then in the House, who had not this impression as to its design and expected consequences. It was launched upon us unanimously, almost by acclamation: and every man rejoiced that when this Synod should meet, it was to make a final settlement of all these long disputed matters. This was taken for granted. The brethren of that Presbytery knew it. Heaven knew it. It was not a mere technical order but an understood thing in which all acquiesced, and the arrangement was a measure which added honor to the name of a Judicatory representing one of the greatest religious bodies at this day upon earth. And it is because I am persuaded that such was the view taken of this resolution, at the time, that I now believe the course adopted by the Second Presbytery will stamp upon it the indellible stain of departure from a bond of honor mutually pledged on that illustrious and memorable occasion. Yet in looking at the terms of the resolution by which the two Synods were to be

made one, it appears that there is a chasm, an abscess, in its provisions, occasioned by the introduction of the little word "at." And, as it seems, we are to be defeated and exposed to public censure in consequence of this lapsus in the technicals of legislation. As we are to have all the world condemn us on account of a matter that turns upon the pivot of one little word, it is proper that I should explain.

When this Synod met, it was the general impression that the Presbytery from whose sentence Dr. Junkin had appealed, was desirous that Synod should take up the appeal and try brother Barnes. That I know, was the distinct understanding of some of our old school brethren when they came here. For myself, I was unwilling that this body should touch the case. I thought the general impression abroad would be, that we were not sufficiently impartial to give an unbiassed sentence; and I wished the whole matter referred to the Assembly: but Synod determined otherwise, and I bowed to its will. The members of thy 2d Presbytery, however, finding that this Synod was determined upon dissolving their ecclesiastical existence as a Presbytery, resolved to refuse our jurisdiction over the case. I believe myself, and I presume the fact is susceptible of proof, that that resolution was *here taken for the first time.* Mr. Barnes, it seems, was ready to go to trial; but as soon as the Presbytery discovered its danger, then, and not till then, was this abscess, this chasm, this omission in the act of the Assembly discovered! and in consequence of so notable a discovery, the records of the Presbytery were withheld from our supervision. Such is the state of facts: and all these circumstances certainly combine to render the case very peculiar in its character, as well as a case of great moment to the church.

I apprehend that men of the world, and even very many members of the church also, can never be persuaded but that there has been, throughout this whole proceeding, a species of trick and management utterly unworthy of the parties concerned. The stroke of policy intended seems to be to obtain a set-off against the loss of influence on the part of the Presbytery, by occasioning a real or supposed irregularity on the part of those who were disposed to press the trial. Having arrived at this point in our proceedings, the sentiment pressed itself with weight upon my heart, that something was due to the circumstances in which we find ourselves: engaged as we are in the trial of such a man as this, with all these embarrassments in our way; and I felt afraid to advance lest we might take some false step, on account of which the whole case might be remanded by the Assembly, and another year of tempest and

commotion might thus be thrown upon our church. Under this impression I thought it best, still, to refer the case: my promptings were all in that direction: but on pressing the measure, I found the majority here not disposed to pursue that course. We have therefore to issue the case.

The book of brother Barnes is pledged by the appellant as the sole basis of the trial. The erasures and emendations which the author, by his own shewing, has made in the last edition of his works, amount to a confession that it did contain some errors, and that the discussion it has excited has done it good. We have this book before us: but the party in defence is absent by his own choice. Under these circumstances, our clear course, in my judgment, would be, to punish for contumacy those who withhold from us the Presbyterial records as well as him also who has refused to appear and answer. Here, however, is the book: and its author is one of the most conspicuous ministers in the church, not only made so by the circumstances of this trial, and by the metropolitan station of his church, but so intrinsically, from his talents and the loveliness of his personal character. The book and the man are both conspicuous. If the work is good, its influence cannot but be highly valuable: if evil, it is as important that the evil should be known, and as far as possible arrested. Its author is a man of sense, and the views he has adopted are by far too vital in their nature, to render it probable that there have been any essential changes in his statements; indeed, he has avowed the fact, that he has made no alteration in his book, as to the doctrine, but merely as to the words in which it is conveyed. Now, while "the end of the commandment is charity," it is also written that "charity rejoiceth in the TRUTH." While we regard the one principle, we may not forget the other.

A brother, (Mr. Adair,) in delivering his opinion on the case, took occasion to quote a book which is justly eminent in the church, from which he read us several extracts; but it did amaze me to hear such a book used for such a purpose as that by which the brother applied it. He quoted it as exhibiting the views of the theological professors at Princeton. I will take the liberty of reading from the same work, that I may show what Princeton really thinks of the book before us. She has deservedly great influence here, and it ought not to be perverted. The writer in the Repertory has erected a pillar of light that streams its rays upon the darkness and confusion, the errors and contradictions that prevail throughout this work. The very section from which the brother quoted, is entitled "The contradictions" of Mr. Barnes' book.

Now when a writer palpably contradicts himself, are we to say that all the erroneous parts of his book shall be overlooked, and those alone which are otherwise insisted on? But let us hear this authority on which the brother relies.

There is another view of this matter in which it assumes a graver aspect. Mr. B. has publicly and solemnly assented to the truth of an existing "system of doctrine." It must, therefore, be to many an offensive declaration, that he does not care whether what he teaches falls within or without the pale of that system. They understand it as meaning, that he does not care whether he really believes what he has solemnly professed to believe. This we do not suppose to be the sense in which he makes the declaration; and yet this, without perversion, is a sense which his words may well convey.

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But our standards say, "the guilt of Adam's first sin," i. e. exposure to punishment on that account has come on all men; and it is customary also to say that the blessed Savior took upon him the guilt of our sins. These are points which Mr. B. denies; and he makes the first to teach absurdity, and the second blasphemy, by making the word *guilt* to involve the idea of personal demerit. He does not speak merely of what ought in his judgment to be the meaning of the word, or that it is an infelicity or inaccuracy to use it as it is done in the catechism of the church, but he maintains such *is* its meaning, it *always* is so used and *never* expresses mere exposure to punishment without the idea of personal ill-desert. And accordingly he asserts that "the doctrine of imputation has been that infants are *personally* guilty of Adam's sin." And if this doctrine is true, he says, "then they *sinned the very identical sin*" that Adam did. This is in a book designed for passive recipients of knowledge; to circulate among Bible classes and Sunday schools; to make every human being who believes its statements, regard the standards of the church, and all the writings of the reformers as teaching unheard of folly and wicked blasphemy!

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This is all very good, but he immediately turns the whole matter round, when he proceeds, "It expresses a state of mind which is demonstrative of love to God; of affection for his cause and character; of reconciliation and friendship; and is THEREFORE that state to which he has been graciously pleased to promise pardon and acceptance." This gives a sadly erroneous view of the relation of faith to justification.

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This unfortunate and erroneous view of the subject, Mr. B. repeatedly presents.

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We are sorry to have to remark on the low view which Mr. B. takes of the object of Abraham's faith.

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P. 103. He thus makes the main point of the promise to Abraham to be, that his posterity should be very numerous. It is, however, to be remembered, that it was expressly declared to the patriarch, that in him, or in his seed, all the nations of the earth should be blessed. This declaration we

know from Paul's own explicit statement, included the promise of Christ; he was the seed in whom all nations were to be blessed.

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Mr. B. insists that Adam was not the representative and federal head of his race. "The words *representative* and *federal head* are never applied to Adam in the Bible. The reason is, that the word *representative* implies an idea which could not exist in the case—*the consent of those who are represented.*" p. 121. This is new to us.

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The grand question was whether men are justified by inherent, or by imputed righteousness. This is the doctrine which even Fuller, as quoted by Dr. Wilson, says if he rejected, he "should be at a loss for ground on which to rest his salvation." Yet this is the doctrine which Mr. B. *in words* explicitly rejects. We say in words, because he himself teaches it in the passages just quoted, and in many others in the course of his book. He often says, that works or personal obedience is not the ground of our acceptance; that faith is not, it is only the instrumental cause, ch. iii. 30. That it is by the obedience of Christ that we become, or are considered righteous, &c.

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As the book now stands, it must give great and unnecessary offence, because it abounds with the most confident assertions at variance with the standards of the church, on all the vitally important subjects mentioned above.

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In the conclusion of this article we beg our readers to bear in mind, that our review is not of an aggressive character. The book which we have been examining, contains a violent, and, as we must think, gratuitous attack upon some of the most important doctrines of the church. If there be therefore, an offensive and defensive attitude, in relation to this subject, we certainly are in the latter. * * * Instead of simply stating and defending his own views, he frequently and at length attacks those of the Confession of Faith. He goes out of his way repeatedly for this very purpose; introducing these topics where the passage on which he comments gives not even a plausible pretext for so doing. That those who love and revere these doctrines as the sacred truth of God, and as intimately associated with the spiritual and eternal interests of themselves and their fellow men, should feel anxious to show that the interpretations on which his objections rest are incorrect; that the doctrines themselves, being misapprehended by the author, are misrepresented, can be to no man a matter of surprise.

Now, sir, is it possible that any man in his senses can believe that the Repertory is in any sense the advocate or apologist of Mr. Barnes' errors?

These are a few of the illustrations given by the writer in the Repertory, and they will serve to show what an extraordinary use has been made of that work by the brother who introduced it here. But I return. The book upon the Romans is itself the evidence on which we are to proceed. But the appellee

is absent: and in view of the contumacy which has deprived us of the Presbyterial records, and has occasioned the absence of the accused, I think, if we could in any stage of the proceeding have referred the case to the Assembly, it would have been the wiser course. The book, together with much that is valuable and interesting, contains, in my apprehension, infolded with this, many dangerous and destructive errors. At the same time I believe the author to be a man of God: but there are many who may adopt his errors without his personal piety, and may perish in them. Yet, as the man is not present, and has not been heard, I do feel an extreme reluctance against the infliction of any penal sentence. Now brethren, I have told you all my heart. I agree with those who are against the book; but while I concur in their views of its dangerous tendency, I am in favor of a second step, and desire that the case should now be sent up to the Assembly. I may, perhaps, with a few others here, be charged with making a speech on both sides of the question: but that I disregard. I am prepared to say that the evidence before us is sufficient to convict the author of this book of promulgating deeply dangerous sentiments. I agree, however, with some who have observed, that there is more want of logic than want of truth in the distinctions he has taken on the subject of faith. In a word, I think that we have the facts of the case, but that the form is wanting: for though the paper which has been read were authenticated by an angel from heaven, still it is not that official proof which the constitution requires: and the reception of it has been effectually guarded against, by the appeal of the accused to the highest judicatory of the church.

Mr. R. Breckinridge.

I do not intend to do more than give the heads of some of those reasons which will influence my conduct in the case before us. Out of the multifarious offences committed in the world against the laws of society, I do not suppose that one in a thousand is ever so much as attempted to be brought to trial or punishment. Certainly there are many thousands of delinquencies perpetrated, whose authors never are tried for them. In the next place, out of those who are tried, not one in a great proportion is ever found guilty. Beyond all question there are ninety-nine guilty persons who escape for one innocent person who is punished. For my own part, I never saw but one person suffer more than, from the testimony in his trial, I was convinced he deserved. In ninety-nine cases out of a hundred the decisions in all our courts lean to the side of mercy. This being so, in general, under the laws of civil society, where men

are under restraints which they do not like, and controlled by principles they do not approve, and are bound, in some degree, to submit to laws to which they never yielded their assent, how infinitely removed from every thing like persecution, from all possible allegation of severity must the present prosecution be admitted to be? If we look at the vows the appellee voluntarily assumed, and which he has utterly broken; when we remember that when he might have been a Methodist, he chose voluntarily to be a Presbyterian, and that every emotion of honor and every principle of truth bound him either to be a Presbyterian or not to say he was one: when we then look at the extraordinary attempts to keep off a decision of his cause, attempts made as well in the public journals as in our church courts, with what face can the accusation of unfair and oppressive dealing be brought against us? When the Act and Testimony had been signed by 2,600 members, and members of the Presbyterian church, there were some who still believed that that paper stated a case which had no existence, and that its authors were no better than slanderers. We were then challenged to produce a case in which the errors of which it spoke were held by any minister in our connection. And now, when we produce a case, need I say what amazing departures from acknowledged duty are resorted to? what attempts are made to brow-beat this Synod out of the present prosecution; so that the very throne of grace itself has not been held too sacred to be converted into a vehicle of attack? Let us hear no more of men who keep their promise to our ear, but break it to our trust; and who, when called to account, resort to means like these to evade the just consequences of their conduct, being objects of persecution! Persecution? If ever a man was dealt by with tenderness, that man is the accused in this cause. Praised by his accuser: praised by his reviewer: praised by every body. Why, sir, I would almost consent to endure the trial myself to get the praises which have been lavished on this victim of persecution. Never was an accusation farther from the truth.

And what are the doctrines, for the promulgation of which he has been called to answer? That they embrace the very worst kind of heresy none can deny. None can question that the charges, as set forth by the appellant, do embrace radical heresy. One brother may say that some one particular point is not very important, and another that some other one has not been fully proved; but that the sum of the charges, taken as a whole, does make out a regular system of heresy is not to be denied. In my judgment, these doctrines do make up a system fundamentally

at war with the gospel of God. They are directly against the nature of sin and the nature of faith and of repentance: and I cannot, for my part, conceive how such sentiments can possibly be held by a converted man. I am wholly unable to conceive how such a person can be a child of God.

Mr. PERKINS. Is such language in order?

Mr. B. I said it not as a reflection on Mr. Barnes, but to show my deep conviction of the dangerous error he has taught. I believe his book contains the identical system of doctrines described in the Act and Testimony. It is the same as the Assembly denounced as a pestiferous heresy. I believe it to be Semi-Pelagianism. He denies a sinner's justification by the imputation of Christ's righteousness: that blessed truth which was the great discovery of the Reformation: which is the cardinal doctrine of Christianity, and which once taken away, the system of the Catholics is truer than what is left. I say this in the midst of a body in which my hatred to Catholicity is well known, in order that it may be equally known in what light I view the doctrine of this system.

That this system of doctrine is held by Mr. Barnes I for one do believe. The proof you have heard. The naked language of our standards does of itself prove the charges to be true. I believe them to be true, as I shall answer it in the day of judgment, and I make the declaration here in my place, on my responsibility, as a christian minister. The question is plainly before us, and each man will say yea or nay, as his own conscience dictates. I offer no argument in support of the charges.

But there are one or two points of a collateral kind, on which I shall say a few words. An exception is taken to the jurisdiction of this body. Now if ever a point was clear, this is of all tribunals the most legitimate. We are the court of the next resort: the next court above that appealed from. The duty has been laid upon us by a higher authority. According to my most sincere belief, the plea is not only futile but childish. Where is the constitutional objection? We have said we would proceed upon the best proof we can get, in the place of that which has been suppressed with the approbation of the accused. I say it was suppressed with his approbation, for he said in our presence that in the case of another he should have done the same thing his Presbytery had done in this. All we have left is the next best testimony. It is said we have no jurisdiction: but when he came before us ready for trial, then it seems we had jurisdiction enough: what took it away afterwards? It is said again that we have not all the proof before us. I say we have all the proof, and that ac-

cording to the nicest technicality of law. We have the very document which the Presbytery had. All has been read before us which was read before them. This is admitted by all. If they had any other proof before them it was in his book. If he offered any other, he offered it as explanatory, or as a part of his argument. It was all taken out of his book. And I am told it is now in this house. Certainly there was no record proof which is not here. All that could have been read out of his book is present here now. Mr. Barnes had it in his own hands, and as I have no doubt it was written out at large. I say, therefore, that it is an uncandid allegation to affirm that the proof is absent. All the proof relied on by the prosecutor is here. And as to Mr. Barnes' absence, he has friends here as able as himself to defend his book.

But again: if this absent proof were all present, it is improbable it should have any weight. If a man asserts a fact, and then asserts a contrary fact, he has the benefit of both so far as the one may explain the other. But in moral truths, or truths of science, if he directly contradicts himself, it proves either that his system is involved in inextricable perplexity, or that the man himself is either knave or fool. If I should say that two and two five: and then again should affirm that two and two make four, what effect would the last have but to show that the first assertion had not been made advisedly? So if a man shall assert that God is a tyrant, and afterwards shall affirm that the devil is a tyrant but God is not; it will only show that he knows not what he says, nor whereof he affirms. There is an immeasurable difference between facts and principles. Suppose a man shall be apprehended for a felon, is it a valid defence to show that in trying circumstances the man was honest? It may be very good proof in mitigation, or it may show that he has no moral principles. But once make out the perpetration of a moral delinquency, and all the proof of opposite conduct at other times will avail nothing. So it is idle to depend on being able to show, from proof not now present, that the accused sometimes taught other doctrines which were not heretical. The christian ministry are not called to teach contradictory uncertainties touching the salvation and damnation of men. We have the truth laid down categorically in our confession: and any distinct departure from it is a breach of our ordination vows. For a man once and again to do this deliberately and knowingly, is to be false to his vow. Nor is it a defence to say that inconsistency is habitual with him.

The man who contends for the production of the absent proof contends for that which does not exist: and which if it were here, could be of no benefit.

But it is said the appellee is not here. Well; if every criminal could put a stop to his trial by absence, how many I pray would be tried? Or if they could avoid a sentence by standing mute, how many would be condemned? If by not hearing God the sinner could avoid his judgment, or by not giving the least recognization of his decision he could avoid its execution, how many would ever be sent to hell? We have done all that in the circumstances mortal men could do. We have cited him, and he has put in his declinature. A Brother says we ought to have mercy. It is very true: but mercy on Mr. Barnes alone? Are we to have no mercy in the church of Christ? no mercy on the heathen? If this book goes to our missionary stations will it do no harm? It is not the gospel of Christ which says that fallen man has ability to do holy acts. It is not the gospel which says that Adam's sin was not imputed to his posterity, nor Christ's righteousness to believers. It is not only not the gospel, but it is contrary to the gospel. If we must have charity, let us show charity to the body of Jesus Christ. If we must have mercy, let us have mercy on all the thousands who look up to us for the light of doctrine and discipline ordained by God in his house. Let us show mercy to the man himself. Those who would refuse it are his worst friends. It is mercy to the erring brother himself.

On the whole, Moderator, I am ready now, to say that the appeal ought to be sustained. And I consider it as our duty, a duty we owe to Christ, to the world to the church and to the Appellee himself, mercifully, but firmly, temperately and manfully, to say to him: "the function of the christian ministry is not to be held by a man holding and teaching such doctrine."

Here the Synod adjourned till to-morrow. Closed with prayer.

Tuesday morning.—Synod met. Opened with prayer.

A report was received from the Treasurer of Synod, and referred. Dr. Cuyler from the committee on the arrangement of Presbyteries made a report: and the question being between adopting the report and only putting it on the docket,

Mr. R. Breckenridge said he wished it disposed of now. In all probability, said he, the Assembly's Second Presbytery will be annulled, and the Second Presbytery Synodical also. But why do I wish the report disposed of now? Because if we leave it till the appeal of Dr. Junkin is issued, it will throw a temptation in the way of the Assembly's Second Presbytery to take an appeal with a view to keeping themselves in existence until that appeal shall be decided on. But if it is the mind of Synod to refer

this question back to the Presbytery for final action in the case, instead of embarrassing, it will disembarrass the case to have it previously settled to which Presbytery Mr. Barnes is to belong.

Dr. Mc Dowell. I do not object to taking up the report now for discussion. All I wish is to go into a full discussion and consideration of the subject and give every one a fair opportunity to express his views. I wish to place mine before the Synod. But we have another business commenced and in a state of progress: it is a case of great interest: the appellee is anxious to know our decision, yet notwithstanding the deep interest it excites I fear if we defer it we shall have a thin house by the time we come to the vote. I want, when the subject of the Presbytery comes up, that we shall have the entire arrangement, the whole field before us and discuss the plan as a whole.

Dr. Cuyler. Can we orderly go into this matter unless we first vote to suspend the trial?

Mr. Gilbert. If we dissolve that Presbytery now can you then go on with the trial at all? It is an appeal from the act of the Presbytery.

After a desultory conversation in which Messrs. Mc Calla Mc Dowell, Brown and Winchester took part it was decided to accept the report and put it on the docket for future consideration.

Dr. Cuyler then made three other reports on the same general subject, one of them being on the division of the Synod, (the former having divided into four parts.)

The question being on giving these reports the same destination as the first,

Mr. R. Breckenridge opposed their being received at all. He thought that in the present alarming crisis, all who were against the Synod's being divided should refuse to accept any report on that subject.

Dr. Mc Dowell. Let us at least hear the proposition and consider it, and then we may reject if we please.

The question being put, Synod was divided—and only 63 rising in the affirmative the question was lost. So the report on the division of the Synod was not accepted.

The Synod now resumed the consideration of the appeal.

Mr. Musgrave.

In order that my future course in relation to this matter may be understood, I will offer a few words in explanation of my views of it. I regret greatly that we should be obliged to act under existing circumstances: but, with the evidence before me which

I have heard I am bound to say that in my judgment the charges in general have been established, and that the appeal ought to be sustained. But while I say this, I must also declare that I do not believe, after a pretty full examination of his book, that brother Barnes does entirely reject the doctrines which he is accused of rejecting. Although I think he is wrong to a considerable extent, I am not prepared to pronounce him a heretic: nor can I accede to his deposition. His errors are not such as to justify so extreme a measure as that. While therefore I shall vote to sustain the appeal, I am not ready to act so far on that ground as some of my brethren.

Mr. PHELPS.

I entirely concur in a remark of the Appellant that the responsibility of the christian ministry is fearfully great, and I doubt not there are many on this floor who have deeply felt that truth since the present trial commenced. It is one of our severest trials to behold a brother suffering, and the cause of truth suffering at the same time. But, on the question sustain or not sustain, I am nevertheless compelled to say sustain. From the evidence laid before us it does appear that brother Barnes' book contains such great deviations from the Confession of our church that they ought to be noticed. If I had been in the court below and heard his defence I might, perhaps, have voted differently, but as things are, I must sustain the appeal. I think that on the whole subject of the imputation of Adam's sin the proof is complete: and on that subject I suppose the Appellee himself will admit it to be so. I do not consider the trial as being wholly *ex parte*. We have his book, if we have not his voice. But it is *ex parte* in this respect, the testimony has not been sifted by a man of talents and learning: and if there are in the book things which go to mitigate the fault of the author or weaken the force of the evidence they have not been stated. It is said, to be sure, that we possess common sense, and that the book is its own expositor: but that is not a good argument even when applied to the Bible itself: for that holy book does contain on its surface many apparent contradictions in word and letter: all ministers know this, and all cavillers try to make the most of it, and hence the necessity of sound and able exposition. Now it has been said here that Mr. Barnes' book is full of contradictions: we have heard a set of extracts on one side but we have not heard any of the opposite side. Certainly, to form a righteous judgment we should have both before us. Otherwise our decision will not be sustained by an intelligent community. We know that the writings even of the immortal Edwards admit of

different meanings being put upon them—and they have been quoted here to support different views of the imputation of Adam's sin—and if this is true of the works of such a man, may it not be true of the works of others also? So far as the evidence consists of paragraphs all selected in support of one view, it is certainly ex parte. I did not procure the book until just before the commencement of this trial. I have seen that of Professor Hodge, which is greatly eulogized. Mr. Barnes has certainly not followed out the beautiful parallel drawn by Paul between the first and the second Adam: I prefer greatly the exposition of Professor Hodge on this part of the Epistle. On that point I believe the charges are fully sustained.

As to the doctrine that all sin consists in actual personal transgression, the book is not clear. I do not think on this point the charge is fully proven: if it were, Mr. Barnes would be nearer Pelagianism than I think he is. As to the extent of Adam's knowledge I have no certainty. It is not revealed to us in the Bible how much Adam knew: nor has the appellant shown that this point is of radical importance. Adam had the promise and prophecy of a coming Messiah, and so had Isaiah: yet neither knew perfectly the full meaning and extent of the prophecy: and how can we show that Adam knew all that was revealed in the days of Paul, or when the canon of scripture had been sealed and completed?

It is said that the book teaches that a sinner can convert himself: but this is to me not so clear. I I think some of its expressions have been misinterpreted. He has certainly contradicted such an idea in other parts of his book most explicitly. Under the passage, "It is not of him that willeth or of him that runneth, but of God that showeth mercy," he contradicts the idea. He there declares and teaches that it is the Holy Spirit who makes the sinner willing to repent and believe; he there says that the unrenewed heart never will desire conversion till the man is effectually called by the Spirit. The contradiction is direct, the proof indirect, and is drawn, as I believe, from misinterpretation.

As to the charge on the mode and nature of justification, I admit that it touches a fundamental doctrine of the Christian system; and I cannot but express my wonder that the author should, so frequently, nay almost constantly, avoid the plain language we use on that subject. But though he does avoid this, yet he says that justification gives the sinner a title to eternal life. I could refer to many passages which declare that is only through what Christ has done that eternal life is obtained, and that justification is not only pardon.

It is said, again, that he holds faith to be imputed as the meritorious ground of justification: but in this book he most distinctly declares that "it is not the meritorious ground of our salvation;" he says this in so many words. If he held the contrary he would certainly strike at one of the great fundamental pillars of truth, for then a sinner would be saved by his own works; but he emphatically contradicts any such idea. I will not go over the passages. On the whole, while I do think that the doctrine of the imputation of Adam's sin is denied, and that in this respect there is an important departure from our standards, I do not believe that the other charges have been fully sustained. It was asserted that Mr. Barnes rejects the doctrine that Christ's sufferings were the proper penalty of the law: but what he denies is that the sufferings of Christ were like those of the damned in hell. And who teaches that they were? He opposes this on the ground that they were not the same in duration nor the same in kind. It has not been shown that he anywhere denies the great doctrine of Christ's vicarious suffering and obedience. I have seen no expressions on that subject which may not be understood as merely denying a transfer of personal moral character on this point. I have often wondered that brother Barnes, and the divines of New England seem not to know that we deny a transfer of moral character of a sinner. Mr. Barnes distinctly declares that we are saved through merits of Christ. Now salvation through the merits of another is the doctrine of vicarious suffering. He says that all the glory is to be ascribed to the Savior alone.

If called upon to vote I again say I must sustain the appeal. Any teacher who impugns the doctrine of original sin should be strongly disapproved: but I do not think that in his book the fundamental doctrines of christianity are denied. If he had not been misadvised by evil councillors, all might have been settled without difficulty. We have been told that in the administration of our judicial affairs so much mercy preponderates that ninety-nine guilty persons are cleared to one innocent person that is condemned. Now with the same extent of observation as the brother who laid down this statement, I believe the fact to be very different. I believe that many innocent persons have suffered, and many have been destroyed who were only suspected. I was astonished that the member should speak with such force and positiveness when a case of the very opposite kind was within his own knowledge. A man whom rumor has compared to Saurin was examined, tried, and condemned: that same man afterward came into the Presbyterian church, and so did his examiner; and I

trust both went into heaven: and at this day it requires great acuteness to discover in what they differed.

Mr. R. Breckinridge. To whom does the speaker allude?

Mr. Phelps. It is not proper here to mention names. The volumes of both their works are preserved. I admit that purity is the bond of peace, and that the wisdom which cometh from above is *first* pure, *then* peaceable; but if we are too rigorous in insisting on minor differences we shall go contending down to the grave. I do not say how far these remarks apply: but there certainly must be much discretion in the application of a general principle. While I say that great deviations from our standards should be noticed and censured, I do not think there are in this book such as should silence a christian minister.

Mr. Wm. Latta. Moderator, I thought we were now delivering our opinions as judges, not making arguments as counsel.

Moderator. Both sides have been allowed equal latitude of remark. It would certainly be desirable if the brethren would observe greater brevity; but it is impossible for the chair to draw the line.

Mr. Harrison.

I am not a little at a loss to know precisely what I ought to say in this case. I came here under the expectation that it would be referred to the General Assembly, and therefore my mind had not been turned to the subject in a degree commensurate with its importance. The reasons for this expectation, it is, perhaps, not quite proper for me to give. Not that I had heard that such was the design of Synod; nor was it because I anticipated the very strange course of action adopted by the Assembly's Second Presbytery in repressing the record. I call that course strange, not that I believe it to have been constitutionally wrong, but because it was new and wholly unexpected. Nor was it because I held the Synod incompetent to issue the case: on the contrary I have believed and do still believe that they are. It was because I knew that in the belief of the world generally, the Synod was considered as being prejudiced, and so much so as to disqualify them from acting in a christian way on such an occasion. This is the simple truth. That there is such a sentiment prevailing must be manifest, I presume, to all: and I may say, farther, that it is industriously circulated. It could not otherwise have attained such an extent or such a force. I find none of it in the minds of the people of this town. I heard a minister say, since I came here, that the Synod had come with an appetite like that of a raging wolf determined on its prey.

and resolved to glut its hunger at any cost; and an unprejudiced man might perhaps believe that there was some truth in the sentiment.

Mr. McCalla. Is that orderly?

Mr. H. I did not say that the brother stated this as fact, but merely as his own impression. It so appeared to him. The remark was not made in the house. I am not prepared to assert that we may not sometimes act under strong prepossessions without being conscious of it. Who, alas, can understand his errors, or can truly say that he knows his own heart? I doubt whether it would not be better that the case should go up to the Assembly, especially in view of these impressions. There is certainly a general impression that this Synod is not qualified, under the influence of a state of feeling which has long been prevalent among some, at least, of its members, to issue the matter impartially. As to the charges, I do not know that I can vote according to the evidence we have had submitted to us. If I am to judge from the book, I certainly cannot. I have read the book: and so far as I understand it, there are clearly discrepancies in it: so much so as to sustain the appeal, taken as a whole. To what extent these discrepancies amount to errors, I am not now to judge. Whether I fully understand the book I cannot say. I believe, however, honestly, as I shall give an account hereafter, there is something wrong in it if our standards rightly express the sense of Scripture. I am sorry to say this, because I love the brother who is accused, and have had reason to love him.

Dr. Cathcart.

I stand, perhaps, in a singular situation on this subject. I came into this house having never read a page or so much as a sentence of the book that all the noise is about. I resorted for my light to the appellant and the appellee, and more especially to the Second Presbytery of Philadelphia, without having dared to form an opinion of my own, because I had no materials on which to form one. This is truly my situation. I did attend, as well as I could, (for my infirmity of hearing has been but too obvious to you,) to the arguments of the appellant: and to me a majority of them appeared greatly inconclusive. When I think that this cause was fully tried before a Presbytery consisting of twenty-one members; out of whom only three could find any heresy in the book, it appears to be high presumption in me to rise up against their judgment. Of the eighteen members who acquitted the author, I am acquainted with some; I have wintered them and summered them, and I know they are far superior to me. Their piety never was questioned, and cannot be: it is emi-

nent in the churches. These men heard the whole case, pro and con: and they then voted that there was no heresy. After this it would be daring presumption in me, knowing no more of the case than I do, to say that there was. All these things make me stand and deliberate. I am totally unacquainted with the book, but from what I have heard, I should say it was not homogeneous. I wish, however, that the whole cause had gone up to the General Assembly. I think it would have been more for the interest of religion. We are considered by the public as a partial body: in this, however, I have been anticipated by a younger brother, (Mr. Harrison.)

As to Adam's knowledge I know little about it. I know that he was "created in knowledge," and that he gave names to all the birds and beasts of the creation: but it is a mere speculation to attempt to tell how much he had or how much he needed. No doubt he had all that he needed for the ends and purposes for which God made him.

As to the fifth charge, if this had happened twenty years ago the Orthodox would have said nothing about it. It made me shudder when it was said that Mr. Barnes denied our obligation to Christ for justification by his righteousness. It was not said, however, expressly whether Mr. Barnes held this. On this point he turned lawyer, and evaded mentioning too particularly what he meant: he quibbled a good deal about the phrascology. This I deprecate. I do not approve of it: nor do I approve of bringing in new phrascology into works on divinity, save where the meaning of words has changed since the Confession of Faith was drawn up. I was born a Presbyterian, and I expect to die one; none that ever I heard of denied my conformity to the Confession. As to Adam's knowledge I think Mr. Barnes denied too much. As to faith being an act and not a principle, a man might preach for twenty years and not settle the distinction between an act and a principle. All depends upon the light in which the subject is considered. In some respects it is an act; in some it is a principle. When Christ said to his apostles in the ship, "How is it that ye have no faith?" he did not mean to charge them with being destitute of saving faith, but with a want of the act on that particular occasion. The word Faith has various meanings in Scripture—sometimes it is the head which a sinner holds out to receive, sometimes it is an anchor by which he trusts, and so forth.

As to the point of man's ability, I hearkened as well as I was able to the Appellant, and I was certainly very dull either of hearing or of apprehension if he produced the most remote proof of the charge. If there is any heresy on this point it must be *Con-*

structive heresy. There was no proof. I was pleased with Mr. Barnes' exposition of the matter; but as for the Appellant he went round about and round about it in a very metaphysical manner. I hate all metaphysics. [a laugh.]

In regard to the imputation of faith, the book certainly uses Scripture language whatever the author may hold. On the passage "The just shall live by faith" Dr. Junkin charges Mr. B. with teaching that it is a man's faith which justifies him: but the apostle is not speaking about justification, but about apostacy, and the just man's holding on in his faith to eternal life and not falling away to perdition. Neither Scott nor Gill nor Poole say that the passage relates to justification.

I am sorry Mr. Barnes ever undertook to write on the Romans at all. To write an able commentary on that epistle requires the study of fifty years and the intellect of a Locke: and even Locke failed egregiously. His Paraphrase on the Gospels is excellent. It did him great credit and the church much good. It is printed and praised in Europe. But there he should have stopped. I know the difficulties of the Romans: I have lectured on every part of the epistle, and on a part of it the second time. Out of many commentaries I selected Guize as my guide; and I still think it is the best: he reconciles all such difficulties as can be reconciled, and some he acknowledges he is not able to explain. After these, I am sorry Mr. Barnes undertook it. The man did so much good. He certainly did push on the temperance cause in the very face of an audience at first much opposed to it, and since then many more have engaged in the same good work. I wish he would turn his attention more to that and let these minor matters pass. I do not approve all that is in his book, especially all that about Adam's sin: and the change of language on that subject I also disapprove, but I do not believe the man means to deny original sin. But the moment our denomination of Christians undertake to explain what God has not explained, and tell all the why and wherefore of his doings they engage in a business which if it is not anti-scriptural is at least super-scriptural. None disapproves such prying speculations more than I do. It is not for edification. To be sure it's well enough to raise these points for an evening's discussion in some little literary club or association, and there we may differ to the very utmost; and when we break up all's over, and we leave matters just where we found them. To go farther does no good, it only distracts men's brains and sets them together by the ears, just as they used to be when they came together at Corinth to eat the Lord's Supper.

The Moderator called to Dr. Cathcart to order.

Dr. C. Why, Moderator, I am speaking *against* the book now. However, I cannot maintain the appeal. I have not heard the Presbytery: that stumbles me.

Mr. KENNEDY.

I have compared the passages quoted with the charges, but as I was not in the House the whole time it would be improper for me to give an opinion, or to vote.

Mr. MAGINLEY.

I was affected with surprise and distress when I heard it alleged that the Synod is generally supposed to be greatly prejudiced in this case. I do not think so. I see no reason why they should be. A great many of us live far from the bounds of the Presbytery more immediately concerned, nor are we envious of the distinction of our brethren. And that the Synod is more prejudiced than the General Assembly would be, is what cannot be shown. The circumstances of the case are spread far and wide: for this thing was not done in a corner. Wherever the Presbyterian church has spread throughout this Union, there is to be found more or less acquaintance with this case. But instead of too great a zeal for truth, we have rather to lament a growing indifference to it; and to me it is pleasing to see some evidence of a revival of zeal in the cause of truth and sound doctrine: for I have long observed that indifference to the fundamental doctrines of the gospel of Christ is fast growing in our churches. If we are to judge of doctrines from their influence, then the opinions promulgated by Mr. Barnes must be bad: for their effect is to raise man in his own estimation, and just in the same proportion to bring down the glory of God our Savior. Whatever doctrine exalts man is diametrically opposite to the Bible. We are told that man is not in a state of corruption, and that he possesses plenary ability to work out his own salvation. And it is affirmed that improvements in divinity are to keep pace with the improvement of human science. This tends to generate pride. I think that all the counts under the general charge of heresy have not been established with equal clearness. Some of the doctrines quoted from the book, however, are palpably against our standards. Error has been clearly demonstrated on some points, but not so clearly on others. But there is sufficient evidence to sustain the charges throughout.

Mr. H. R. WILSON.

I consider the charges as, in general, proved, with the exception of the third. Prima. Mr. Barnes does deny what I understand to be the meaning of Rom. viii. 7. What he says on pages 164 and 165 of his

book, on that point, does not satisfy me. He holds, in contradiction to the declaration of the apostle, that fallen man has full ability to keep the commandments of God. I shall vote to sustain the appeal.

Mr. Sharon.

On reading Mr. Barnes's book, I find that the doctrine of the representative character of Adam, which, according to the common use and acceptation of language, is plainly taught in Scripture, is distinctly impugned; and the doctrine of imputation is also seriously affected. I must, for my own part, take language in the Bible and out of it according to its plain and common acceptation: and if the object of the author had been to convince me that he did not receive these doctrines, he could not have used language more directly calculated to produce that impression. This book and our Confession of Faith cross each other almost at right angles. I am therefore for sustaining the appeal.

Mr. McKnight.

I have some difficulties on my mind, in relation to this case, which are not obviated by any thing I have yet heard. Many of my co-presbyters have felt the same, but have suffered them to pass in silence. I too have sat silently until now; but as we are acting on our personal, individual responsibility, and in the character of judges, I think it proper to state what my impressions are: for I have not been able, in all points, to agree with my brethren on either side. I left home with a mind unprejudiced. I was not personally acquainted with the brother who is accused, nor had I read his book. I had seen nothing relating to this cause but the charges of the prosecutor, and the judgment of the court below. I took my seat with a mind as impartial as ever a man possessed on earth. I felt my position to be a solemn one, and surrounded with responsibilities to the church, to the world, and to the great Head and Lord of Zion. But, in the incipient stages of the trial, I was not a little startled at the position the Synod took in relation to the parties. If I understand the provisions of our constitution on the subject of appeals, the thing operates in this way: When a cause has been tried in a court below, and is carried up by appeal to a higher tribunal, the original parties are there out of view. Before this court there are new parties, viz. the appellant and the court appealed from; and then the only question to be settled is this: Was the judgment given by the inferior court just, or not? To show you that, in holding this opinion, I stand on solid ground, I refer you to the whole chapter on Appeals. In the first place, what are the grounds of appeal? "Any irregularity in the proceedings of the inferior

judicatory: a refusal of reasonable indulgence to a party on trial: declining to receive important testimony: hurrying to a decision before the testimony is fully taken: a manifestation of prejudice in the case: and mistake or injustice in the decision, are all proper grounds of appeal." Suppose an appeal is taken on the ground of prejudice; then you are to examine that point: you are to hear testimony on it: you have to determine that, and that only. So in the 10th sub-section of section 3, the object of the decision by the appellate court is declared to be "either to confirm, or reverse, in whole or in part, *the decision of the inferior judicatory:* or to remit the cause, for the purpose of amending the record, should it appear to be incorrect or defective; or for a new trial." In my view, the very nature of an appeal implies, that there is nothing to do with the incipient stage of the cause, until the appeal shall be issued. The original parties do not come in at all, until the fourth stage of the proceeding. In deciding the appeal, it is necessary to have the testimony, and *all* the testimony, which was laid before the court below. And, in the present case, as we have not all the testimony, I cannot, in view of my ordination vow to maintain the constitution of our church, vote at all, either for or the other.

I am fully aware of being exposed to the sarcasms which proceed from a certain *corner* of the house, against any who maintain such an opinion. But if the sneers of the brother are thrown at me, I can assure him they will fall harmless to the ground, for I am strong in conscious innocence. It is a far easier task to throw out sarcasm and invective, than to answer argument. A father has said that he is astonished there should be any difficulty felt on the score of defective evidence, because he thinks it is complete and perfect. But I can assure him that I have difficulties on that ground; and I will tell him why I differ from him in opinion. I am no lawyer. I never either studied or practised law; but I have often attended courts, both civil and criminal; and I have there learned some of the principles of judicial jurisdiction: and the same principles, being of a general nature, may usefully be applied to courts ecclesiastical. The analogy of proceedings is often very close. Now, in civil courts, it is well known that no court but that in which the trial commences can make up the record: and if it is mutilated, or lost, no other authority can amend or restore it. As there are lawyers here, I challenge contradiction to this position.

Mr. R. Breckinridge. The book the brother holds in his hand expressly provides that if a record is mutilated you may supply it.

Mr. McKnight. I appeal then to lawyers out of

this court. I have on this subject the opinion of an eminent judge. And I have myself seen the point decided from the bench. I have known, when it has been discovered that the record has been mutilated, the court to refuse to proceed in the cause. And this opinion is greatly strengthened by what takes place in our criminal courts. Suppose a man is indicted for murder, and condemned, and an appeal is taken to a higher court. If it is found that the record has been mutilated, will the judge attempt by oral testimony, to supply the defect? No; and why? because the law is so extremely cautious in putting men's rights, and still more their lives in jeopardy, on mere ex-parte proof. Common sense would in such a case sustain both judge and jury in acquitting the prisoner. Now in this case the original parties are Dr. Junkin, the Prosecutor, and Mr. Barnes the party accused. These were the parties before the Presbytery. But they are not the parties before us. The parties here are the person appealing, and the court appealed from. The parties before this Synod, are Dr. Junkin, and the Assembly's second Presbytery of Philadelphia. And the question for us to decide is, whether the Presbytery have done right or wrong in passing the sentence appealed from; Dr. Junkin says they were wrong, and has tried to show it; the Presbytery, if they admitted our jurisdiction would have to show that they had done right. But here the original parties have been before us from the beginning. We are trying Mr. Barnes for his book, not the Presbytery for its sentence: and the accused has been vehemently censured because he refuses to stand and be judged at your judgment seat. To cast such censures is a thing I never could have done, with this constitution in my hand. The Presbytery has refused us their records. With that I have nothing to do. That they had a right to withhold them, if they chose to do so, I have no doubt. For as to the talk about the Presbytery's being contumacious because they have refused our jurisdiction, it is idle. They plead a constitutional right: and the moment a question of constitutionality is raised, contumacy is at an end. But when the Presbytery entered their plea in bar, if you had thought proper to overrule it, you would then have been on constitutional ground: and from what I have heard out of doors, I have reason to believe that the Synod would have been sustained in that course. But when a Presbytery throws round itself the shield of the constitution, I as a free-born American, honor them for standing upon their rights. The question they have raised will go up to the Assembly and there it will be settled. But to try brother Barnes on the original testimony, is certainly to violate all principle and precedent, civil and ecclesiastical.

But, supposing the whole course of the Synod to have been correct, I deny that the charges have been proved. I must hold this opinion until I have heard all the testimony. I have no doubt you have got the whole on the side of the prosecution: but have we nothing to do with that which was exhibited on the other side to the court below? Think you that such a man as Albert Barnes, charged as he has been from North to South with holding heretical opinions, would sit still, and not present a word in reply? No: it is not supposable: there is the strongest presumption against it: besides which we have heard it affirmed here, again and again, that the contrary is true. But in reply to this, we are told that it is immaterial what he said, because we have all the testimony we need in his book itself. I admit it: but I ask, have we heard the book read to us? have we all before us which the book contains? If the book is the testimony, has all the testimony been read? And if the book is sufficient, why have we heard Dr. Junkin, at great length? He did read, some times, from the book: at other times from his own manuscript. But if all the evidence is the book, why, I ask, has not the book been read in evidence? There was a demand for the reading of it, and it was called for by the necessity of the case, as neither Mr. Barnes nor the Presbytery have laid any thing else before us: but it has not been done. I have heard very severe censure cast on Mr. Barnes for the course he has adopted. It is not for me to judge the motives either of the accused or of his Presbytery: but I believe both to be conscientious men, and I am persuaded that they believe themselves to stand on constitutional ground. Nor does his course evidence to me any wish to avoid a trial, because he came prepared for and expecting a trial, and told us he was ready. He has not participated in the course of his Presbytery, nor has he even acquiesced in it: he has only ceased to resist it. But he was brought to a point where great injustice was likely to be the result if he had suffered the trial to go on. I do not know whether, if similarly situated, I should have acted in the same way. Perhaps when I found that the records proper to my defence were withheld, and that I was left naked and defenceless, I might have thrown myself on the justice of my brethren, and made my appeal to them on the fact that the records were denied me, and pleaded before them the want of evidence. But I have no doubt he acted from good motives. Any impeachment of motive is improper, and should not be indulged in. They who know me know that I shrink from no responsibility, and that I have been a sufferer from fidelity to my constituents: but I tremble at the thought of assuming responsibility in a course of er-

ror. I know that in this case a responsibility of the most awful character is necessarily assumed. The eyes of the church, the eyes of the world are upon us. Great results are to issue from what we do. I am no prophet nor prophet's son, but I plainly see that an irregular issuing of this cause, so far from allaying, will augment the contests in our Israel. We all know that language will often impress upon the reader what was not in the mind of the author who used it. And skill in argument may draw out of the writings of almost any man opinions which the writer never held. I saw an instance of this ambiguity of language not a great while ago. There was a party on board a steamboat going up the Hudson, and to relieve the tedium of their situation it was proposed that one of the party should read aloud o the rest. When the first reader was somewhat weary, he turned round to the gentleman next him and said, "Sir, will you *spell* me?" The gentleman assenting, immediately selected some of the most difficult words in what had been read and propounded them to the other to *spell*. The same thing happens in a thousand cases every day, when meanings are put upon a man's words which he never intended to convey, and perhaps never thought of. But we are told that there is a necessity to travel out of the limits of the written constitution in order to get at the case. It may be that we cannot otherwise get at it; but a high Authority has commanded us never to do evil that good may come. And surely we do evil when we travel out of the prescribed path of our duty, a path we have promised to follow. We all know that it is a principle which generally operates among mankind, that it is better to let ninety-nine guilty persons escape than one innocent man should suffer: and seeing that there is an impression on many minds that the testimony is imperfect and *ex parte*, would it not be better that the Synod should lean to the side of mercy? If I were called to express an opinion on the case out of doors, I should feel no hesitation in doing so; but as a judge I am to know nothing but from the testimony, and that, as here given, I consider insufficient. If I would not refuse to receive, night after night, as a minister of Christ one who holds the opinions expressed by brother Barnes, and if I would myself sit under the ministry of such a man, ought I not to tremble at the thought of coming here and saying, that, "whoever holds such sentiments cannot be a child of God?"

Mr. R. Breckinridge. The insinuation of the speaker, if directed at me, is an absolute untruth.

Mr. M'Knight, (in continuation.) I only stated a hypothetical case. I believe our standards are as competent to put down heresy now as ever they were:

and the history of the church has proved that our fathers were correct in trusting to the effect of them. I do not know a single case of heresy which has not been discovered and put down. Our standards are as complete now as they were in their days, and so long as I remain a minister of the Presbyterian church I shall feel bound to keep within that line of proceeding which they prescribe, and shall dissent from and disapprove any departure from it to answer a temporary purpose.

Mr. De Witt.

It is not my intention to detain the Synod with many remarks. Much that I wished to say, has been said by others, better than I could say it myself. I feel embarrassed, with many of my brethren, in giving a judgment in this case, in consequence of the peculiar attitude which all the parties have thought proper to assume. The Presbytery against whose decision the appeal lies, have declined the jurisdiction of this court, on what they believe to be constitutional grounds. Mr. Barnes, without deciding himself whether the ground taken by the Presbytery, in declining the jurisdiction of this court, is constitutional or not, declines respectfully to appear before your bar, because he professes conscientiously to believe that the trial, under these circumstances, will not be constitutional, or at least that his interests will be seriously prejudiced in doing so. The parties having assumed these attitudes, I was anxious myself, with others, to have the whole subject referred to the next Assembly. Had this been the ultimate court of appeal—if we had it not in our power to secure, by a reference, a decision of this case by the whole church in General Assembly—I should have been for urging the decision here, under all the embarrassments with which we are surrounded. The Synod have not thought proper to refer it. They have proceeded to hear the evidence as produced by the appellant, and his argument on that evidence in support of his charges, and we are now called upon to render judgment in the case. The judgment must be found on the evidence. But here a question arises of vast importance. Has Mr. J. read all the evidence which appeared before the lower court and influenced them in the decision, from which Mr. Junkin has appealed? My conviction has been, and still is, that this is far from being the whole evidence produced before the lower court on which they founded their decision. If we are to consider the evidence read by Mr J. as the only evidence before us, my opinion is, that it will be impossible to give a righteous decision. In this view of the subject, I must decline an expression of opinion.

If, as some have affirmed, the book, the whole book of Mr. Barnes on the Romans, is now before us as a record of evidence to influence our judgments in this matter, then, as it has not been read in open court, and I have never heard the whole of it, I am not sufficiently acquainted with the evidence to give an impartial and righteous decision. From all the examination I have been able to give it, though it has not been so full and so close as I desire it to be, I cannot sustain these charges. If I must give my opinion now, with the impression which my examination of the evidence, as far as it has gone, has produced on my mind, it must be, that the appeal should not be sustained. Let me briefly refer to some of the charges.

Dr. Junkin charges Mr. Barnes with holding sensentiments on the doctrine of human ability not in accordance with the standards of the church. The evidence read by Dr. Junkin in support of this charge taken by itself, might go to sustain it. But, sir, the book contains statements which, when placed alongside of those adduced by the appellant, materially affect the evidence. For instance, Mr. Barnes, in his book, thus paraphrases the words "*I find not*," in the last clause of the 15th verse of the 7th of Romans—"I do not find it in my power, or I find strong constant obstacles, so that I fail of doing it. The obstacles are not natural, but such as arise from long indulgence in sin; the strong native propensity to evil."

That I am not singular in supposing that these statements of Mr. B. sustain the doctrine of human ability as taught in our standards. I take the liberty of referring to the criticism in the Biblical Repertory already alluded to, and which we have been told by a gentleman on this floor, is from the pen of Professor Hodge. He says, referring to the very statements quoted above,

"Even this opinion, [the doctrines of the standard, on ability] Mr. Barnes seems to recognise as correct."—B. Rep. vol. —, p. 22.

So also in regard to the doctrine of original sin, on which the sentiments of Mr. B. have been impugned by Dr. Junkin. The evidence presented by him, taken alone, might sustain the charge. But, sir, this is not the only evidence, if the whole book be the record of the evidence before the court. On page 122, Mr. Barnes says:

"Men are indubitably affected by the sin of Adam, as, e. g. by being born with a corrupt disposition, with loss of righteousness and subjection to pain and wo."

Here again I am not alone in supposing that this statement in this passage amply sustains the doctrine

of the Confession. Mr. Hodge, sir, whom the General Assembly have elected to teach our young men theology and correct exegesis, in the review referred to, in allusion to this passage, says:

"Here are evils inconceivably great and dreadful, which are declared to come on all men prior to all agency or concurrence of their own, for a sin committed some thousand years before their birth and beyond their control. Further than this, who need wish to go? Further, the scriptures, the reformers, our own standards, and the great body of old orthodox divines do not go."—Page 28.

I quote the Repertory, merely to sustain my opinion that this book does contain statements which, when laid alongside of those that have been adduced by the appellant to prove his charges, will materially affect them as evidence in the case before us, in the mind of all dispassionate men.

Again: Dr. Junkin charges Mr. Barnes with denying the important doctrine of justification as taught in our standards; and no doubt his quotations from the book, as they appear before us, isolated, and without their connection, may appear to sustain the charge. But, sir, these statements do not contain the entire evidence. On page 58, Mr. B. thus explains the phrase "*being justified*":

"Being treated as if righteous, i. e. being regarded and treated as if they had kept the law. It does not mean," he adds, "that it has been without price or merit from any one, for the Lord Jesus has purchased it with his own blood, and to him it is a matter of justice that those who were given him should be justified."

These statements contain, in my opinion, the doctrine of justification as taught in the standards of our church, at least the essential features of this doctrine, and the Repertory so regards them: see page 29. I might quote other passages, of the same general bearing. Sir, to me it is most evident, that we are not prepared to give a righteous decision in this case. I speak for myself alone. I am not. I regret it, sir. I wish the matter could here be decided. But, in my opinion, it cannot be. It ought to be referred to the Assembly. If, however, under present circumstances, I am pressed to give my vote, it must be, that the appeal is not sustained.

Mr. James Williamson.

I do think that one or two of the latter speakers have endeavored to set this case in such a light as requires correction. I am not learned in matters of law, or the proceedings of our civil courts: but our own law, the constitution which we have vowed to maintain, speaks expressly and clearly: and I hope that we, as judges, shall look at our own book, and not be drawn aside from it by the proceedings of

courts and lawyers. Our book says that "an appeal is the removal of a cause already decided, from an inferior to a superior judicatory, by a party aggrieved." It is not the revision of a decision, but the removal of the cause. And it is the original cause itself which has come up here, and on which we are now to pass, and not a sentence of the Presbytery which we are to censure or confirm. The Directory provides, that the hearing of the lower judicatory in explanation shall be the fifth step in the process of issuing an appeal. That court is not a party, farther than to give us information as to the grounds of their decision. The cause of Mr. Barnes is, therefore, as much before us as it was before the lower judicatory, and the parties are the same here as there. We do not judge the decision of the Presbytery, save in so far as we judge the same cause they did, and our judgment may differ from theirs.

Moderator. The chair must arrest this course of remark: these questions have all been already settled. The Moderator did indeed suffer the brother previously up to present his views at large, and without interruption, that there might be no appearance of unfairness toward members on that side of the question: but he does hope that all the members will abstain from farther remark on that point; it is settled.

Mr. W. I thought, as a full expression of opinion on the opposite side had been given, that there was a propriety in saying a word by way of reply. But I waive it. As to the case itself, I do not suppose that we are setting here to adjudge the appellee on the question of his personal piety. On that I shall say nothing; to his own Master he must stand or fall. The only question we have to decide relates to the doctrines he has published to the world in his book; and all we have to say about these, is, whether they agree with the standards of our church, or not. There may be ministers of the gospel, and pious men, who do not hold our Confession: with that we have nothing to do. Mr. Barnes has professed to receive it: and we have to say whether his book contradicts it. He is not to be tried on a charge of immorality, or of want of zeal; but on certain doctrines which he has published, and which are alleged to contradict our standards. And the first question to be settled is, are the doctrines set forth in the indictment contained in the book, and do they stand there as the prominent opinions it contains? On this point, my mind is fully satisfied: I believe that they are. I trust I have looked at the matter with candor. I have examined the book previously to coming here, and all that I have here heard has but confirmed me in my first impression. They are in the book; they

go to form a complete system; and that system is, in my opinion, heretical. Take one of the doctrines away, and you take away the whole. Where any one of them is, the rest invariably are found. They may, and certainly will, be carried farther; and, indeed, in particular places of the book they are so. The second point to be determined, is, are these doctrines contrary to our standards? Some, I admit, are not so much so, were they not inseparably linked in with others which go to sap the foundations of our faith. If our constitution be true, these doctrines must be false. They are utterly ruinous to the system we have exhibited to the world as ours. The third point is, Did the Presbytery decide this case below agreeably to the requirements of our standards? Much has been here said about *ex parte* proceedings, and *ex parte* testimony. But we have a certified copy, or rather the very original paper which was before the Presbytery when they made up their decision. I do not find that on a single charge the Presbytery were moved to their decision by any evidence that was exhibited by Mr. Barnes on the opposite side. The Presbytery gives their own views of the book. On the subject of Adam's knowledge, for example, the Presbytery say that Adam is not represented as ignorant of moral relations, but it is in flat contradiction to the very words of the book.

They say that the book speaks only in reference to the Rabbinnical assertions about Adam's knowledge of the sciences and so forth; but the book speaks in the ordinary way, without the least mention or reference to any opinions held by the Rabbins. It might easily be shown that they had not one particle more of evidence to go upon than we have. Indeed they seem to teach, in their sentence of acquittal, the very same doctrines as are charged by Dr. Junkin upon Mr. Barnes' book. [Here Mr. W. read from the sentence of Presbytery.] To me the case is plain. It is obvious that the Presbytery decided on no other grounds than what this Synod now has before it. There is the book: if the doctrines charged are not in it, let it be shewn. If those doctrines are not meant to be taught there, we must have a new language in which to teach religious knowledge; or else we must at least remodel all the phrases in which we have heretofore been accustomed to teach it. I do think that the doctrines of the book on Imputation and Original Sin, and on Justification by the Righteousness of Christ, are all in set contradiction to the positions of our Confession of Faith; and I therefore think that the appeal ought to be sustained.

As to the appeal to Princeton Seminary, all the quotations read to us from the Repertory contain

matter introduced, of purpose, to shew the gross and manifold contradictions of Mr. Barnes: and can we give judgment in favor of a book on the very express plea that it is full of passages in which it contradicts itself? All error comes mixed up with more or less of truth; and hence its progress in the world. There is no heretical book in existence which does not contain many divine truths. But the very passages which have been quoted, and so triumphantly quoted, as an argument in favor of the book, are themselves a sufficient ground to justify its condemnation.

Mr. McKinley.

I believe the case is wholly before the house. I was one of those who in the General Assembly voted for the union of the Synod of Delaware with this Synod: and I speak the sense of every member of the Assembly when I say that it was intended that all the powers of the former Synod should, on the union, be invested in the latter. The only thing wanting was an express order that it should bring its minutes with it, and lay them before this Synod. But an express order of this kind was wholly unnecessary, since that was implied in the act of union itself. And farther: I am clearly satisfied from the evidence of facts, that the members of the Second Presbytery of Philadelphia came here with that understanding in their minds.

I have been informed, I believe, that the Stated Clerk of that Presbytery brought the minutes of the Presbytery into this house. But if they believed that we have no jurisdiction in the case, and no right of review or control, why did they bring their book here? The only question for us to settle is whether it is just and proper to go on and try the cause without the appellee, and without the Presbytery? As to the first difficulty, viz. the absence of the appellee, the Book of Discipline in its very letter has provided for such a case, and decided that the absence of the party accused shall be no bar to proceeding. In the 13th section of the 4th chapter it is declared: "The second citation ought always to be accompanied with a notice, that if the person cited do not appear at the time appointed, the judicatory, besides censuring him for his contumacy, will, after assigning some person to manage his defence, proceed *to take the testimony in his case as if he were present.*" This settles the first point; and shows that in certain cases it is proper for the judicatory to proceed with the trial notwithstanding the absence of the accused. The only other question is, whether the absence of a document said to contain a part of the evidence laid before the lower court renders the giving of judgment improper or not. Our book provides for this also. In the 16th

sub-section of the 3d section of the 7th chapter we find these words:

"It shall always be deemed the duty of the judicatory, whose judgment is appealed from, to read authentic copies of all their records and of the whole testimony relating to the matter of the appeal. And if any judicatory shall neglect its duty in this respect: especially, if thereby an appellant who has conducted with regularity on his part, is deprived of the privilege of having his appeal reasonably issued, such judicatory shall be censured, according to the circumstances of the case."

Here it is clearly implied that cases may occur where the lower court having neglected to perform its duty by sending up its records, the appellate court may be justified in proceeding. The word "especially" shews this. It implies a distinction; just as it does in that passage on which we rely for the warrant of a ruling eldership: "The elders who rule well, *especially* such as labor in the word and doctrine." Suppose the Presbyterial records had been burnt, could not we proceed? No doubt we ought to get them, if we can: but if they had been burned, and Dr. Junkin had a certified copy, we ought nevertheless to proceed, and in this case I believe that the paper he produced here is the same which was before the Presbytery. The decision, whatever it may be, will be very serious to the party concerned: and an appeal has been made to our mercy, but I believed that the accused is not the only party concerned. The church is to be as much affected by it as he: and therefore if mercy is to be our guide, let us shew mercy as well to one as to the other.

Mr. M. B. Patterson.

It seems to me that as the testimony and argument are now concluded, we have passed out of the character of a court into that of a jury: and the question we have now to decide is, whether the testimony is or is not sufficient to support the charges of the appellant. It is not for me to decide on the manner of conducting the trial: a jury cannot question the doings of the court. We have no right to raise any such question at this point of our proceedings. The time for that is past. I now, as a juror, have only to ask myself, does the testimony support the charge? I therefore think that all remarks about the order of proceeding are out of order. On the question whether the proof supports the charge, I am prepared to say that it does.

Mr. Wynkoop.

The question before us has two parts: 1st. Are we prepared individually to give judgment upon the case? and 2d. What judgment ought we to give? I have heard much said of unpreparedness, but in my case it does not exist. It is evident that Mr. Barnes was

a member of the Presbytery, and had, as such, a right to vote on the question of submitting their minutes, or withholding them from Synod, and must be considered as having in that matter acted with the majority. If he had been in favor of submitting them, but had been outvoted, he had the right of protest. If he had entered his protest against the decision of his Presbytery, he would have been looked upon by every one as sincerely desirous of having his trial here. But if he had adopted neither of these courses, still he had a right as an accused party to demand a certified copy of the testimony brought against him, and of the whole testimony in his cause. This could not have been refused to him, and he might have submitted that to the Synod. Again, it was Mr. Barnes himself who introduced all the evidence that was employed in his defence before the Presbytery: and he had it with him, in this house, so that any want of formality in presenting it there need not have hindered its production before us, unless Mr. Barnes himself chose to withhold it. It is known to me that a private copy of his book, with his notes upon it, is here now: that an individual member of the court* has a statement of Mr. Barnes' views, and that you will probably hear those views, through him, when his turn shall come to speak. But we have the book: and the charges are directed to the words there employed. The error is said to be in the words. If any man, especially a professional man, cannot understand what English words mean, it is time he was sent to Sunday school to learn. But with all the difficulties which encumber and embarrass our course, we are not to be hindered from the performance of our duty: on the contrary we are bound to scrutinize the case the more closely because the party accused is not present before us. But we are not left to conjecture as to Mr. Barnes' taking part with his Presbytery. He told us, in so many words, that if it were the case of another, he did not know but he should do the same. I have, for myself, no hesitation in saying that as Mr. Barnes has not used his power to bring the records of his trial before us, which he could easily have done, and as he has justified his Presbytery in withholding them from us, we are fully justified in proceeding without them.

In regard to the errors charged, I believe they have been fully proved, with the exception of the latter portion of the fourth charge, and also the eighth. The latter portion of the fourth charge he does teach, but denies that it is an error: and the eighth I do not think he does intend to teach. The thing itself to be rare, is a gross error: our confession says, that

* Mr. W. was understood to refer to Mr. Campbell.

whoever makes a satisfaction for sin must make a true and full satisfaction. Mr. Barnes does deny that Christ endured the penalty of the law: but the error lies in misunderstanding the true import of the word 'penalty.'

If a debtor delays to make payment of his debt, his debt grows larger: but Christ met the whole debt of his people, and paid it off at once. As to the remorse, endured by the lost in hell, it is not occasioned by looking back upon their crime, but by looking at the penalty. Remorse is not itself the penalty, but is the effect of contemplating the penalty. What Christ did, he did voluntarily, and therefore could not have felt remorse in relation to it; and yet he might and did endure the penalty of the law. Every awakened sinner must know that he is himself inadequate to meet the demands of the law: but when God in human flesh appeared he endured the whole of the demand and thus became the end of the law for righteousness to every believer. Mr. Barnes has committed an egregious blunder in not distinguishing between the essential penalty of the law, and what is merely accidental to it. [Here Mr. W. quoted from pages 89, 90 of Mr. Barnes's book.] Here is a proper real and full satisfaction to the law.

With the exception I believe that the doctrines charged on Mr. Barnes and taught by him are against the word of God and the constitution of our church: that the belief of them is inconsistent with his profession, and the teaching of them is a violation of the promise in his ordination vows, and injurious to the peace and prosperity of the church of God. I therefore am of opinion that the appeal ought to be sustained.

I am aware that it is said that this whole affair is a mere strife of words: and that while Mr. Barnes differs from our confession in words, he agrees with it in substance. But he has quoted the very words employed by the confesssion, and endeavors to show that they contain doctrine which is abominable. Yet he has subscribed their very standard. Now he must either have subscribed what he holds to be abominable doctrine; or he subscribed what he did not believe. Words express ideas. So our opponents think; for they are most tenacious of their own: and yet ask us to give up ours as "mere words" "the technicalities of a system." I shall vote to sustain.

Mr. R. S. Grier.

I cannot vote to sustain the charges, because there is a lack of evidence. It is asked, however, are not Mr. Barnes and the Presbytery themselves the guilty cause of this deficiency? I firmly deny that they are. Still the fact remains, that there is a want of evidence.

It is said that the only witness which has appeared before us was open to interrogation, and had been fully interrogated. It is true: but still it is wholly *ex-parte*. Had he been interrogated by one who knew the whole hearings of the cause and was familiar with the book, the rebutting testimony would have appeared so ample, that it would be impossible to sustain the charges. I hope they will not be sustained.

Mr. Wallace.

As relates to the doctrine set forth in the book of Mr. Barnes, I am unable to give a decided opinion, never having read his book, and having heard but a part of it. I fully believe in our relation to God, both civil and moral. In regard to our civil relations, I must say that my mind is not satisfied with what I have heard extracted, but under existing circumstances I must decline voting.

Mr. Cassett.

I consider myself bound to judge exclusively from the testimony laid before us. In what I have to say, I shall avoid remarking on what has been touched upon by other members—one thing strikes me in relation to the testimony, which I have not heard so fully stated. We all agree that we are to be governed by the testimony; but we seem to forget that Mr. Barnes's book itself is the only testimony we are to go by. Now it is generally conceded that the book does not contain the very errors charged upon it: but here is the point:—it is alleged that the testimony is incomplete, inasmuch as the book has had no explanation. This objection does not weigh with me any thing. For the only question is are the errors in the book? The case is exactly parallel to a case of libel. The same principles will apply. When a man is prosecuted for libel, the first enquiry is, are the alleged words proved? In this case that point is conceded. The next question then is, Do the words contain a libel? If they do, there is an end to the matter. The man is convicted. But it is said, that if Mr. Barnes was here he would so explain as to avoid the charge. But I ask, is it competent to a man who has put forth a libel to plead that he did not mean what the libel he published does mean? Such a plea would not be looked at for a moment. The man would be held to his words: and the words would be construed by common sense. I do not care if Mr. Barnes was here and could explain in his own way every word of his book: the book must speak for itself. His explanation has nothing to do with the matter. Now that the words of his book do contain the errors charged I think has been fully proved: and as they are all combined into one system, I hold that the whole have been sustained.

Mr. Hutchinson.

I think the charges have been proved, and I am prepared to sustain the appeal. Nor do I believe that the case has been prejudged against Mr. Barnes. I have been in his company once, and once only; and I confess that he then impressed me as a very amiable man, and I felt prejudiced, if at all, in favor of him and his book. But I cannot look with complacency upon error. That the doctrines of our confession are the doctrines of the Bible is a matter not now to be argued by us, any more than we should think of arguing on the inspiration of the Scriptures. We have adopted and subscribed it. I am convinced that there is a system of error in Mr. Barnes's book which contravenes these doctrines. Now every one of them is of importance in its place. If we may deny one point, because it is only one, we may go on and deny another and another, and all the while fraternize with those who deny the whole, until at length we come to do the same. Then we shall have conceded all that the Deist asks. That is just what they would have. They say "your doctrines are not essential; and so says Mr. Barnes: here they meet. And as to the effect, be assured that the dissemination of error will never be blessed to the conversion of sinners, or the sanctification of God's people. It is the truth, and the truth only, which sanctifies men and prepares them for heaven.

Mr. Hill.

Much has been said, of late, about prejudice in the minds of the members of the Court: and if the love of truth is a prejudice, and a sacred regard to our standards and to the word of God is a prejudice, then I acknowledge, this day, that I am prejudiced in this cause. Whether it be constitutional to make a distinction between essentials and non essentials in the word of God I shall not undertake to decide. For myself I can make no such distinction. I believe that every thing in that holy book holds its own appropriate place, although every stone may not be equally near the foundation. If any one shall be taken out, its place can never be supplied. Every thing there is of vast magnitude and of the most vital importance to the church of Christ. Now according to the evidence we have had before us, I am fully convinced that the charges have been most lucidly and satisfactorily established. I believe Mr. Barnes' book does contain errors the most destructive. The work is, in fact, a motley mixture of Pelagianism, Arminianism, and, I had almost said, of Socinianism. I will not, however, go so far as that. But as to Pelagianism and Arminianism, what I say, might be fully confirmed from an examination of the book. As to one doctrine of vital importance, it is flatly denied: I

mean the doctrine of justification by the imputed righteousness of Christ. If there is any doctrine which may be justly styled fundamental, that is one: and though my charity might go as far to admit that some who are ignorant of it may be saved, yet I should hesitate greatly to say that a man capable of studying the Scriptures critically, and yet deliberately denying it, could allow final salvation. I should at least have my own difficulties on that point. I might be disposed to hope well of some of the Pharisees in our Savior's day, but Jesus Christ himself thought it was with great difficulty they could be saved: for he said expressly, "except your righteousness shall exceed the righteousness of the Scribes and Pharisees ye shall in no case enter into the kingdom of heaven." It is alleged that Mr. Barnes is not duly before us, but I think enough has been said to satisfy the court on this point. He has been before us, and he might have cast himself on the clemency of the Synod, but he let his Presbytery take their own course in withholding their records from the court. Why has he thus acted? In my humble opinion it was because he was conscious that he could not support his book or successfully contradict the charges against it. For a man to suppose that he could vindicate such a book before a Presbyterian court implies a degree of ignorance which I will not impute to him, and of impudence which would but ill become any one clothed with the clerical office. Another argument in favor of the accused has been drawn from the Biblical Repertory. Princeton is a very high source, and one which, ever since I have known it, I have been accustomed to venerate. But am I to believe that those who have been so active in putting down Popery intended I should be regulated by their opinion further than is consistent with truth? None can expect this. We are, thank heaven, untrammeled by the authority of any publication, much less one which has been put forth in a spirit of false charity that, I grieve to say, has infected men of the highest standing. It is said that the book is contradictory, and that we should respect the author on this account. I know not whether it is thus contradictory through the ignorance of the author; or whether it has been made so by design, with a view to foist in, in a qualified gradual and covert manner, what would not be received if presented in gross. This is the policy of errorists in the present day. They will not consent to be charged with holding and teaching a particular doctrine which may have have an evil repute, so they put it in very general terms and expressions of an equivocal import that may be interpreted either in one way or another, as circumstances may require. There are few now-a-days who hold a correct creed, or may be de-

nominated, in the full sense of the word, Presbyterians. Some preach their own peculiarities, and cover over a standard error by using vague and general expressions. That seems to be the plan pursued in this book: and it is perfectly consistent with the tactics of those who aim at introducing this system of error into our churches. I trust we are ready to come to the point. I hope that the spirit of brotherhood which was manifested in the last General Assembly has been travelling this way: and that the reform which was commenced there will be carried on and carried out here. In executing the laws of Christ's kingdom let us arrest the progress of a book which is calculated to destroy the souls of men, and it may bring the man himself by whom the injury has been done to seek that grace which will lead him into the truth.

[Synod here took a recess till 2 o'clock.]

Mr. M'Kinney.

We are establishing doctrines which our own and our neighbor's children are to be taught for centuries, perhaps, to come. Thousands on thousands of the youth of our land are concerned in the judgment we shall pass. If we pass a sentence of acquittal, thousands of children of our church will be taught by means of this book, and will imbibe its sentiments: but if, on the other hand, we put the seal of condemnation upon its author, the book will be arrested in its progress, and all those thousands will be taught in a different manner. Another difficulty in our way is the fear that it will be said we are deciding under a strong prejudice; and it requires some strength of character to meet this charge. The press, throughout three-fourths of our land will be against us. We must prepare to meet in every quarter the allegation that we proceeded without regard to mercy or to right, and condemned the accused without allowing him a hearing. Such a prospect cannot but influence many minds. It is a result we ought to look at: but not so as on that account to fly from our duty. We must keep in mind that the end of "the commandment is charity:" but we are not to forget that it is charity "out of a pure heart and faith unfeigned." This is to be our rule of action. It has been said that it is better that ninety-nine guilty persons should escape than that one innocent man should be condemned: but if we neglect to do our duty we may cause not ninety but ninety times ninety to suffer. The subject divides itself into several questions: 1st. Was the decision of Presbytery correct? On this question we are to sustain the appeal, or not: if the decision was correct we cannot sustain the appeal: but whether it was much wrong or little wrong, then

we must sustain it. Our sustaining the appeal does not imply that we must inflict a severe censure on the accused, but only that we condemn his errors. There need to be no great difficulty in the matter; for the decision in the court below, instead of condemning, justifies every thing in the book. 2. The next question is, how far the charges have been sustained? I have little hesitation in saying that the matters charged are taught in the book. But then it is said there are contradictions in the book: what is affirmed in one place is contradicted in another; and the Biblical Repertory has been quoted as evidence. But what is the object of the writer in the Repertory? It is to show that Mr. Barnes cannot carry out his views without contradicting himself. And it will be so. A man who advances erroneous opinions will almost involuntarily introduce the common phrases employed in treating of the same doctrines. It requires an effort, in fact, to avoid the use of correct language: and at times he will forget himself and speak unguardedly. And besides, when a man is departing from the truth but has not wholly forsaken it, his system will not be complete at once. He begins, and having advanced some way, he falls again into correct phraseology, and thus his work comes to be full of confusion and contradictions. But he does not rest there: but continuing his downward course, he never stops till at last he takes up his rest in the error to which he has been tending. We are called upon to dispose of the errors in Mr. Barnes' book, and in doing so we must put upon its language our own interpretation. If the book contradicts itself, and may be explained to mean either one thing or the opposite, each man will of course explain it in his own way, and will take such parts as agree with his own views. If a man takes up Mr. Barnes' book and believes him to hold error, he will say here are passages which are clearly erroneous, and he will interpret all the rest of the book by these parts of it. So if a man favors Mr. Barnes' views he will say here are passages which agree with the confession, and he will be for interpreting all the rest in conformity with these. I think we are bound to take up the book and judge of its language by the simple rule of common sense. A man would not write such things as are in this book if he knows the use of language and does not intend to convey such a meaning as the words express. I am ready to vote for sustaining the appeal.

Mr. S. Wilson.

I am not insensible to the responsibilities under which I am called to act: at the same time I am not conscious that I came here with any prejudices but a love to the truth. Though I have no particular

acquaintance with the accused party, yet all my feelings toward him were in his favor. But, in regard to the sentiment contained in his book, I cannot say that my acquaintance has been so happy. I believe it contains errors which are extremely dangerous. The system there taught, as far as it is laid down, amounts to a different doctrine, "another gospel." It seems to me that the appellant has acted wisely in the arrangement of his charges. The first point is that all sin consists in action: then that faith is an act and not a principle: then, in accordance with this, that we are not chargeable with Adams' transgression; the denial of this is part and parcel of the system. And so with the rest. All the points are not equally important, yet they all constitute one connected system; and the whole form a battery, levelled at the very foundations of the Presbyterian Church. Only carry out these principles and they subvert the whole grounds of my hope in Christ. I think that the appellant has fully sustained all the charges; though I do not say that he has established all with equal clearness. Some of them are inferential; but the inference is so clear that none can doubt it. If I deny an affirmative proposition, it is tantamount to affirming the opposite. We are bound logically, to draw this inference. But even supposing that all the charges are not fundamental, still they all impugn the standards of the Presbyterian Church: they are all inconsistent with that form of sound words which contains the essential doctrines of the Scripture. And certainly, if a man impugns publicly the standards of faith he has sworn to maintain, he cannot complain if he is denied a standing in the church which holds them. On the whole I am persuaded that this book is calculated to poison that fountain of divine truth from which as a church we all should drink: and I hold it to be our duty to intercept the polluted stream, before it spreads its consequences far and wide through the land. We are bound by our ordination vows to maintain the purity as well as the peace of the church. Truth was given for the illumination and sanctification of the church and of the world: and if you allow its streams to be mixed with poison, and thus to flow through the length and breadth of our Jerusalem you will allow the dearest interests of men to be most seriously periled. But it has been said that Mr. Barnes's standing is such that we ought not to try him at all: and some have even said that if our church constitution requires us to cut off such a man as this, they are for getting another and a better as soon as possible. That has been said. And now moderator, if it is come to this, and it is our constitution which thus prevents the spreading of erroneous doctrine, it

is time for this Synod to speak out, and to express its sentiments in such a manner as shall be effectually felt in our churches. If we are to sacrifice our standards and all our views of divine truth out of deference for one man, it is time to give up. We have, since the opening of this cause, been frequently referred to public opinion as the rule which ought to govern our proceedings. No doubt we ought to have a decent respect for the public mind, in this as in all other matters: yet our paramount duty is to have regard to truth, and not to go out of these walls to enquire what the world says. Let us rather go to scripture and to the throne of grace. Let us perform our duty fully and fearlessly, and leave the world to say what they please. If that wholesome discipline which was meant to build up the church shall prove the means of pulling down and destroying it, the fault will not be ours, a faithful application of the proper means is all that is in our power; and it will, in the end, prove the most successful mode of establishing the church on sure foundations. Dr. Junkin has satisfied me in respect to several of the counts in the indictment he has preferred, and when the time shall come to give the final vote I trust his appeal will be sustained.

Mr. Moore.

I had made some examination of Mr. Barnes's book before I came to this House: and since then I have listened with pleasure and I trust with profit also to the argument of the appellant. I think he has fully sustained six of the charges. His argument in reference to the others I did not hear, having been detained from the House by indisposition. The whole affair has been very painful to me. I have known brother Barnes for these fifteen years past; I have always felt a warm friendship for him, although I never had what may be termed an intimate acquaintance. But though I love him much, I love Christ better. I have paid some attention to the Epistle to the Romans having myself lectured upon the whole of it, and I think there are serious discrepancies between Mr. Barnes book and the text he professes to explain. It has been said that we have but a doubtful jurisdiction over the case, yet it is admitted that we have enough to have empowered us to refer it to a superior court: but I should think if we can go so far, we can go the whole. The errors in the book are some of them Arminian, and others either semi-Pelagian or Pelagian entirely. True there are other passages which speak a different language: but what then? The oracle it seems is of dubious import: it may bear one sense or bear another: which shall we follow? I can only believe what has the imprimatur of truth upon it. The rest I must

condemn. I had supposed that the whole case would have been referred to a higher Court, and I was prepared to vote for such a course: but I am not now. I have no predilections which will sway me in favor of the appellee, or against him. So far as he can remove any of the charges by explanation I should rejoice to hear it: but I am of opinion that the appellant has fully established the general charge.

Mr. McKnight Williamson.

After examining as closely as I could the evidence which has been submitted to us, I am constrained to sustain the appeal. When I review the language of my ordination vow, I find among other queries put to me in that solemn hour, this question: "Do you sincerely receive and adopt the Confession of Faith of this church, as containing the system of doctrine taught in the Holy Scriptures?" I believed I could answer then, and I think I can answer now, *ex animo*, that I do approve it: and I am constrained to think in view of what has been read to us from Mr. Barnes's book, that what is there taught is not in accordance with that Confession, or with the declarations of the Holy Spirit in the word of God. On the contrary, the language of the Confession is openly attacked. Now this book professes to be intended for the use of Sabbath school teachers and the children in our Sabbath schools, and it certainly does instil principles which are openly and directly at war with the Confession of Faith and the Catechisms of our church. If its design succeeds, it will raise up a host of men prepared and disposed to uproot the doctrine which has hitherto distinguished the Presbyterian church.

Mr. Olmstead.

I have had a copy of the book for some time; and I think the best speech I can make in reference to the case—I hope others will follow the example—is to say, "no remarks."

[Many did follow the example.]

Mr. Allen.

I am not going to make a speech: but as it is my constitutional right to give the reasons for my vote, I shall occupy two or three minutes in doing so. I think the appellant has entirely sustained his charges. I cannot bring myself to doubt on this subject; or to believe that he can have mistaken the sentiments Mr. Barnes has promulgated; and I consider those he has enumerated as forming the essential parts of a system which had its birth in two very renowned places; the first is New-Haven; and the other is Poplar Town.* [a laugh.] The nature of the charges

* Poplar Town is the station of Rev. Mr. Campbell, a member of Synod.

as well as the character of the man, may be pretty well judged of from the efforts which have been made to defend him. We cannot have a better proof of this than the reference which was made to the Biblical Repertory and the authority of Princeton. Now we know what the sentiments of Princeton are in relation to this matter. In Dr. Miller's letters we have a picture, fully drawn, of this system of doctrinal opinions: and the author of that work declares, in terms, that those who hold these errors and yet subscribe to the Confession of Faith, are guilty of *perjury*. And the same book declares that there are ministers in the Presbyterian church who hold those sentiments. He fixes this stigma on the New School men: and the errors in Mr. Barnes's book form a part of the New School system. I have no difficulty in declaring that in my view they are most dangerous. There was one thing which, at first, bore with great weight on my mind. I saw that the errors were there: but then it was said, and truly, that the book contained passages from which just the opposite might be proved. Professor Hodge has shewn most clearly some of these contradictions. This was a difficulty with me for a considerable time: but it is so no longer. I regard Mr. Barnes's book just as I do the work of Taylor. Edwards shews in his book against Taylor that Taylor teaches, in fact, both sides. While he undertakes to deny original sin, he does in some places prove the very contrary of this. Just so it is with Mr. Barnes. He means to deny the system taught in our standards; but he has also said things which lead to directly the reverse. But no man could, on this account, think of clearing him of such a design, any more than for the same reason he could acquit Taylor. I know he has taught in some passages what comports with our system, but the main design of his book is to contradict and overthrow it. He has fallen into the contradictions unavoidably, and through mistake. I therefore hold him guilty on all the charges.

Mr. Todd.

I came here with a mind entirely unprejudiced, and have listened to the course of the trial with close attention. What little I knew of Mr. Barnes disposed me in his favor. I had met him in Synod, and was disposed to consider him as an amiable and excellent man. But since I have been here and have listened to the charges, and the proof adduced in support of them, I am constrained to say that I believe them to have been fully proved. On the competency of this court to take up and issue the appeal I have no doubt or difficulty. As to the opposite passages in the book, I never in my life read a book of any description that had not something good in it. I have

never read Mr. Barnes' book; but admitting the passages which have been quoted to be contained in it, even though all the rest were ever so good and ever so sound, I should vote to condemn it. This is a book for the use of our youth to form the minds of those who are to follow us, and in at least some parts of it the fundamental doctrines of our holy religion are denied. I do think its doctrinal positions contain gross heresy. It is said he is a man of talents and of an amiable and excellent private character: I have no reason to doubt this; but as he is a man of discernment he must have known what it was that he put into his book. He certainly had a full opportunity to consider them, for he was admonished five years ago that he had expressed sentiments at war with our standards and with the Bible. Knowing this he has persevered: he still adheres to the same views: he has expressed them here, and he means to express them. I do not impugn his right of opinion. He has an indubitable right to hold, and to express and spread abroad these or any other sentiments, but not at the same time to retain his standing as a Presbyterian minister. He had better come out, like an honest man, and say at once, I do hold sentiments at war with your confession, I no longer believe in that confession, and I renounce it openly. That would be the part of an honest and a pious man: but I do detest the idea of a man's professing to adhere to a certain standard of religious belief, and at the same time writing against it, and preaching against it. Let Mr. Barnes be honest. If he is no longer satisfied with the language of our church, let him tell his brethren how he feels, and ask to withdraw peaceably from our connection, and not keep us all in commotion as he has done. The high standing of the man and of his congregation presents no reason why he ought to be dealt with lightly: on the contrary it forms the very reason why we are bound to bring the discipline of the church fully to bear upon him. Let him not, under any sanction from us, stand in the midst of the metropolis of the state spreading his odious, detestable, abominable doctrine, a doctrine which goes to destroy the foundations of human hope, and to undermine and lay waste that fair structure of Presbyterianism which the wisdom of our fathers has erected.

Mr. DUNLAP.

I have never, for eight years that I have had a seat in Synod, had anything to say which I thought worthy of being communicated to such a body. On this occasion, however, I will say a few words. My first remark is, that as a court we have nothing to do with Mr. Barnes's belief—but only with his words. It is said, I know, that he does not intend to

convey the ideas he has conveyed, and this impression perplexes the mind of some brethren. It perplexed mine for some time: and I thought if that difficulty were removed my mind would be clear. But the way to judge of any sermon is to ask the people that *hear* it, not the man who preaches. Supposing the language which has been read to us from Mr. Barnes's book were used in a sermon: and you were then to ask the people that heard him what doctrine Mr. B. meant to preach? If they in reply stated the truth according to our standards, why there would be an end of the matter. But where a book is published to the world, it goes to the world: and, the question for us is, 'how will *they* understand it?' If, however, the experiment has been tried, we find that every body understands it in a certain way, then we know what the book teaches. That experiment has been fully tried. It has been my privilege to see the practical bearings of this very system. I learned it from the people themselves who embraced it. When I came among them and presented the claims of this church for aid, they told me we cannot give, and they gave me the reason, and that reason was almost a literal quotation from Mr. Barnes's book. They used his very language. I say that it is a system: a practical system in the church. Go where it is and both elders and people will soon satisfy you how the doctrine is understood: Nor do they go merely as far as this book goes: no: they carry the thing out. We have been told here that Mr. Barnes does not deny the imputation of Adam's sin; but inquire where his book is read, and they will speedily convince you how the matter is. They use his very words. They will tell you that to talk of God's imputing Adam's sin to his posterity is a libel on the divine government—that it is horrid even to think of any human being's coming into existence under what will prevent him from doing all the duties required of him: and if you press them with scripture, they will use all Mr. Barnes' arguments about the injustice of punishing men for an action done thousands of years before they were born. Then you will hear that all sin lies in action: that it is action and action alone which constitutes character. When you ask them how God created man, they will tell you that he created him without any character at all, but with liberty to form such a character as he pleased. They expressly deny that Adam's conduct affected his offspring in any way. They feel the difficulty arising from the fact that all men do necessarily sin, but they deny that this is consequence of any thing done by Adam: and insist that men now sin just as the angels did at the beginning. If you ask, what do you do then with infants?

they will answer that infants have no character. I was struck with what was said when I pressed upon Mr. Duffield—I beg pardon—I mean on Mr. Barnes the truth that where is no transgression there can be no condemnation, and of course no pardon. He said that infants at death went immediately to heaven. I asked him over what do they rejoice in heaven, if they never were pardoned? how can they praise God for redemption? He replied that infants rejoice in this just as the angels do: not because they have any personal interest in it; but they look at it as a display of the divine perfections. I say again, it is a system. If there is no sin till men begin to act, no propensity to sin, no necessity of breaking the law, and if it is a libel on God's government for any one to say he cannot keep the whole law perfectly, what will be the end of such a system? I answer, Perfection. That is the tendency and will be the issue of it. I have heard the perfectionists. I have met with those who were so perfect that they could not sin: Christ was in them and they in Christ, and they could not sin. This is the end of these things. It is only the new system carried out. We have the demonstration of this in the fact that a large portion of the churches under the care of the General Assembly are looking to the issue of this trial as that which is to decide the question whether they shall continue in connexion with the Presbyterian Church. If Mr. Barnes and Dr. Beecher are not permitted to retain their standing, we leave the Body. That is the reason why the Presbyterian church cannot operate in that region of country.

Mr. Landis here interposed. I ask the next brother when he combats a shadow to state when and where and by whom such an assertion has been made upon this floor.

Mr. Gilbert.

When the calling of the roll commenced, I did not expect to occupy more than five minutes: but so many speeches have been made by brethren on the other side, while scarce any have yet been heard from ours, that I must now bespeak the patience of the Synod for a somewhat longer time than I had at first intended. The rule under which we are now acting declares that after the parties shall have withdrawn "the clerk shall call the roll, that every member may have an opportunity to express his opinion *on the case;* after which the final vote shall be taken." I quote this because it has been said by some of those who have spoken that the only question to which we can speak is, whether the charges against the accused have been sustained. We are not confined within such narrow limits; but have liberty to speak to "the case"—to the whole case.

The case is an appeal from a decision of Presbytery, and it virtually asks us to condemn Mr. Barnes as a heretic and his Presbytery with him. Before I can vote this, I must be satisfied in respect to four points. 1. That the appeal has been regularly prosecuted: 2. That all the evidence which was before the lower court, is before this court: 3. That the course of trial has been perfectly fair and orderly: and 4. that the charges have been sustained by proof. As we have a large large latitude of remark, I shall throw myself upon the indulgence of my brethren, if, in the course of my observations I may say anything that shall conflict with votes of the Synod.

My first enquiry then is, Has the appeal been orderly and properly prosecuted? I suppose it will be granted that if Dr. Junkin had appealed to the Synod of N. Jersey or the Synod of Ohio, it would not have been orderly: even if the Assembly had declared that from and after the year 1840 the Churches and Presbyteries within the Synod of Delaware should belong to either of these Synods.

Moderator. The Chair has already declared that any argument on the course of proceeding is at this point of time out of order, Synod having already settled those points. Nevertheless I hope the Synod will bear with brother Gilbert.

Mr. G I shall not occupy more than five minutes at any rate. I do not call in question your decision. I say it would not have been in order to appeal to the Synod of New-Jersey, because that was not the body superior to the Second Presbytery of Philadelphia. When I speak of the superior, I mean of course immediately superior, a body to which the inferior court belongs. The superior body to which an appeal from the decision of Presbytery regularly lay, was the Synod of Delaware: and Dr. Junkin had no more right to appeal to any other body than to the Synod of New-Jersey. If the General Assembly had intended that that Presbytery should be subordinate to another Synod, they would have said so: and in that case the Presbytery would have been amenable to such Synod: but the Assembly said no such thing, and of course the Presbytery was not amenable to any other body. If this Synod, the Synod of Philadelphia, has jurisdiction of the case, it must be under an order of the Assembly: but no order of Assembly said that Presbytery should be under this Synod while its own Synod of Delaware was still in being. And here let me make an occasional remark in vindication of the Presbytery. The shape of the order, as at first proposed in Assembly, was that the Presbyteries forming the Synod of Delaware should be united with the Synod of Philadelphia; and had the order passed in that shape, none would have pretended

that this body had not full jurisdiction of the case: but its form was changed: not by the proposal of any member, and one whom our brethren here have never accused of jurisdiction. It was Dr. Miller who proposed the amendment of uniting "at and after" the meeting of this Synod, so that there was no cunning or manoevuring of the Second Presbytery in that matter. All the power given in the order to this Synod, is to organize itself anew by receiving the other Synod into union, and then to take measures to divide again by some other line of demarcation. If the order had said that from and after the 1st day of September the two Synods should become one, none could have doubted that on that day the Synod of Delaware would have become defunct, and its power at an end. But the order specified the last Wednesday of October: and therefore, until the last Wednesday of October the Synod of Delaware was in existence, with all its powers in full vigor, and might have been called at any time by the Moderator. Our constitution gives such a right to all the Moderators of our judicatories, without distiction. In the chapter "on Moderators," it is declared that the Moderator "shall likewise be empowered, on any extraordinary emergency, to convene *the judicatory* by his circular letter, before the ordinary time of meeting." It has been objected that if this interpretation is good, the Moderator of the General Assembly may call a *pro re nata* meeting of that body: I reply that he cannot, because after the Assembly has adjourned, it is defunct: there is neither Moderator to call, nor Assembly to be called: but Synods and Presbyteries are permanent bodies: and they may be constitutionally called together as is provided in the rule I have read. As to the argument drawn from the fact that the Synod contained only three Presbyteries, and therefore could not issue an appeal from the decision of one of them, it rests upon a mistake as to the nature of a Synod. Our book declares that "as a Presbytery is a convention of the bishops and elders within a certain district, so a Synod is a convention of the bishops and elders within a larger district, including at least three Presbyteries." Again it is provided that "*any* seven members belonging to the Synod, who shall convene at the time and place of meeting, with as many elders as may be present, shall be a quorum to transact Synodical business: provided not more than three of the said members belong to one Presbytery." And again it is said: "The Synod (every Synod) has power to receive and *issue all* appeals regularly brought up from the Presbyteries." Thus we see that a Synod differs from a Presbytery only in its greater extent. As to the Presbytery appealed from being out of the Synod,

it is not the fact, any more than a member of a judicatory who has spoken twice is out of the judicatory because he cannot speak again on the same subject without special leave. They are in the Synod, though they cannot vote in their own cause. But a Synod with three Presbyteries has precisely the same powers as a Synod with ten Presbyteries. It can "*issue* ALL appeals" regularly brought up. I think that Dr. Junkin ought to have appealed at the time of Mr. Barnes's acquittal, to the Synod of Delaware. But it is said he was prevented from doing so. How prevented? by the advice of the Presbytery as a body? or of some of its members? Could Dr. Junkin be so easily turned about, this way or that? and by the advice of men who differed from him in views, too? Prevented? Can you prevent Mr. Barnes from appealing to the Assembly? No more could the Presbytery prevent Dr. Junkin from appealing to the Delaware Synod. He might have done it, and he ought to have done it. And as to denying the jurisdiction of this Synod, the Assembly's Second Presbytery of Philadelphia is not alone guilty. It is equally the act of all the Presbyteries composing the Delaware Synod: they all question your jurisdiction as much as the Presbytery of Philadelphia. And they act sincerely. Nor did this denial originate in the Second Presbytery, but in another. Now if this case comes up before us, it must be either by reference, or by complaint, or by our right of review and control, or by appeal. It does not come by reference, nor by complaint: but it is contended that we have jurisdiction of it in the way of review and control. I deny this, and contend that our whole power in the matter is to remit the case to the lower court. But it has been taken up through the influence of some whose will seems to be law here, and who have desired in their hearts to push it to the extreme. On the ground of review and control what says our constitution? "It is the duty of every Judicatory above a church session, at least once a year, to review the records of the proceedings of the Judicatory *next below*." And again: "If in the course of the review cases of irregular proceedings may be found so disreputable and injurious as to demand the interference of the superior Judicatory. In cases of this kind the *inferior Judicatory may be required to review* and correct its proceedings." And again: "When any important delinquency or grossly unconstitutional proceedings appear in the records of any Judicatory, or are charged against them by common fame, the first step to be taken by the Judicatory next above is to cite the Judicatory alleged to have offended to appear at a specified time and place, and to show what it has done, or failed to do, in the case in ques-

tion: after which the Judicatory thus issuing the citation shall *remit the whole matter* to the delinquent Judicatory, with a direction to take it up, and dispose of it in a constitutional manner, or stay all further proceedings in the case, as circumstances may require." So if this case comes before us on this ground, all we can do is to send it back to the Presbytery. But it cannot come here, because when these things were done, that Presbytery was not under our jurisdiction: it was not "the Judicatory *next below*," or below us, or subject to us, in any sense whatever. There remains but one other way in which the case can come before us, and that is on an appeal: but if it comes here by appeal then you must confine yourself to the written record of the doings appealed from. But that record is not here. It is said that we have the evidence, but the question is, whether we have all the documents before us which were before the Presbytery? Have we any of them? I say in reply that we have no Constitutional verification of any, save of the sentence passed by Presbytery and their reasons for that sentence. As to the document which was read by Dr. Junkin it is no more evidence than his plea. I have no evidence that it ever was upon the record or even on the files of the court below; but if I had, still it is not all the evidence which was, before the Presbytery. And the constitution requires that we shall have all. We are directed and required to "read the *whole record* of the proceedings of the inferior Judicatory in the case, including *all the testimony*." Yet from the answer of Mr. Steel to questions of Dr. McDowell and of Mr. Mc Calla, it appears that we have not all that the Presbytery had.

Dr. Junkin. Did Mr. Barnes offer, as testimony prior to the opening of the argument by the parties, any testimony whatever?

Mr. Steele. If my recollection serves me, Mr. Barnes always read a passage from his book in answer to the passages cited by Dr. Junkin under each charge, and commented on them at the time. This I suppose he adduced as rebutting testimony. But whether the court considered it so or not I do not know. I give merely my own individual supposition., I ask leave to remark here, as a reason why I suppose this that the trial before presbytery was conducted in this manner. First the Prosecutor read a passage from Mr. Barnes's book. Then the prosecutor was heard in support of that charge. Then, when he had finished his remarks, the accused was heard in reply, when he first read passages out of his book and then commented upon them.

Dr. McDowel. Does this rebutting testimony make a part of what is here presented before this court?

Mr. R. Breckinridge. There should be something in the question to show the real state of the fact. It is evident from the reply of the witness that there was no rebutting testimony

adduced. If the question is entered in the form proposed it will appear that there was rebutting testimony, when he stated there was none.

Dr. Mc Dowel. As I understood the witnesses this rebutting testimony was read under each charge as Dr. Junkin proceeded. I want to know whether this makes part of the documents before the court?

Mr. Steele. I have already answered the question: this document contains only the proof addressed before the Presbytery by Dr. Junkin. If Mr. Barnes read at any time the same passages from his book which Dr. Junkin read, then this contains a part of what Mr. Barnes read: if not, then it contains nothing of what he read.

Mr. M'Calla. Did not Dr. Junkin formally lay before the Presbytery inculpatory passages from Mr. Barnes' book as evidence against him, before the argument on his part commenced.

Mr. Steele. He did.

Mr. M'Calla. Did Mr. Barnes formally lay before the Presbytery any rebutting testimony from the same book before his argument in reply?

Mr. Steele. He did.

Mr. M'Calla. Were the rebutting passages adduced by Mr. Barnes read also by the Presbytery before the argument?

Mr. Steele. The Presbytery took up the trial in detail, one charge at a time: and, if I recollect rightly, Mr. Barnes' proof, in the passages read by him, and which I understood to be meant as rebutting testimony, was adduced under each particular charge.

Now, where is that testimony? A member, in his speech, solemnly appealed to heaven to witness that we have all that was before the Presbytery. But what said the witness to a query by Mr. Winchester?

[Our reporter here says, "Insert Winchester's query and Steele's reply;" but we cannot find them in the report of Mr. Steele's examination.]

Is not this proof enough that testimony was submitted to Presbytery by Mr. Barnes which is not before us? We have no proof that this paper of Dr. Junkin's was ever recorded by the Presbytery at all. Again, therefore, I assert, on evidence here recorded in your minutes, that we have *not* all the testimony. If there was a letter containing rebutting evidence, who brought it before the Presbytery? Somebody must. Was it Dr. Junkin?—No. Mr. Barnes?—No. The Presbytery?—No. I have heard not a word said of this: yet such a letter there was before the Presbytery. But it is said the testimony is in the book. I ask, whereabouts in the book? Who has read it here? It might equally well have been said that the proof of Mr. Barnes's heresy is in Dr. Junkin's manuscript: but could we have judged of it, unless we had heard it? unless it had been read before the court? It is said there are contradictory, or countervailing passages in his book, which

convey an impression the reverse of what is charged. Have these been read to us? Has the court heard them? Supposing you were trying a man for a sermon: would you not read the whole of it? Must it not be read in court? Suppose a lawyer, in arguing before the Supreme Court, should say that Blackstone, or Chitty, or any other law authority, said so and so: must he not read the passage? is it not always done? or ought it not to be? But where is the advocate here to bring out any countervailing or even any mitigating evidence? I do not know, to this hour, what passages Mr. Barnes adduced as rebutting or explanatory evidence before the Presbytery. I therefore say that we cannot sustain the appeal, because we have not the documents which were before the court below.

Having disposed of the first point, I now come to the question whether the trial has been orderly conducted. In order to this, it is necessary that all the documents must be read, and that the parties be fully heard. Now the documents have not been read, and, as I must think, the parties were shut out of court too soon. The Presbytery had a right to put in their argument here in bar of your jurisdiction. This they were not allowed to do. And I must give it as my opinion, that the plea of the Presbytery was shut out by implication in a way rather rash, and not calculated to secure the ends of justice. I cannot persuade myself that the accused has had what our constitution secures to him, a "fair and impartial" trial. He was certainly justifiable in refusing his assent to the trial's proceeding any farther, after his Presbytery had refused the documents indispensable to its orderly proceeding.

In regard to the charge of heresy, I think it has not been sustained. I admit that Mr. Barnes has said many things against the terms and phrases "covenant of works" and "imputation," and that what he has said against these phrases does appear, at first, to be directed against what I believe to be the doctrine of the Bible on those points: but, from a long intimacy and intimate fellowship and sympathy with him, I do not believe that he means to deny any one fundamental doctrine of our confession: on the contrary, nobody holds its fundamental truths more cordially. I think he has been imprudent in his language; but I believe that what he says against imputation is only directed against that theory which holds that there is a transfer of character under that term, and that when he talks about the guilt of Adam's sin not belonging to his posterity, he means no more than that they had no personal participation in Adam's sin. On the whole, I cannot, by maintaining the appeal, condemn my brother Barnes, be-

cause we have nothing to go upon but *ex parte* testimony, while the rebutting evidence that might take away all its force, has never even been read before us.

Mr. Howe.

I cannot sustain the appeal: and I shall point out a few of the reasons why I cannot. In the first place, because I have heard but one side of the cause. The appellee has not made his defence. Whatever may have been said by some of the Judges who have spoken, the fact cannot be denied that he is not here, nor is the evidence he presented to the Presbytery here. It is passing strange to me to hear the assertion so often repeated, that we have all the testimony which was before the court below. I will not, however, dwell upon that point: the contrary has been ably shown by legal gentlemen present. We are told, however, that the book is full of contradictions, and that the general sentiments of the author contravene the essential doctrines of the christian scheme, while there are some passages of a directly opposite character. In such circumstances I ask who is to explain the matter? It is answered, the common sense of mankind. But I hold it to be a correct principle in the exposition of all works of every sort, that they shall, if possible, be so explained as to be consistent with themselves, and if any explanation is to be given we are certainly to look to the author. That there are ambiguous terms employed in the book is there any one here that doubts? We heard one of the judges say that the sentiments there expressed destroyed the very foundation of a christian's hope: and the prosecutor declared in his letter to Mr. Barnes that if his doctrine was true he, Dr. J. could no longer "read his title clear to mansions in the skies." And then on the other hand an aged father rose up and told us that he knew some of the wisest and best of men who held precisely the same views. Under statements so contradictory ought we not to pause and enquire for a correct expositor? And who shall we call upon but the author of the book? We have had expositions enough from other quarters: but they have been such as I am persuaded he would be the very last to choose: especially in a case where personal reputation, official standing, and all the dearest interests of life are so deeply involved. I am surprised to hear men of judgment declare that they have all the light upon the case that they wish.

[R. Breckinridge. Nobody has said that on this floor.]

I cannot sustain the appeal in consistency with the principle embodied and published by the highest judicatory of the church in 1824, in a minute penned by Dr. Miller himself, a man whose orthodoxy, I sup-

pose, is not called in question in this body. Most clearly there can be no trial where there are no parties, or where the parties are not heard. There are no parties here before us. It is perfectly ridiculous to call it a trial. You may call it, in some sort, an examination, I admit; for we have had a long and tedious examination of certain passages of Mr. Barnes's book: but to call it a trial is a contradiction in terms. There cannot be a trial without parties. In an indictment for words the very words of the book should have been marked. There is good sense in this; it is required in order that the accused may have all the advantages in his defence which the law secures to him. He must know the exact charges and the proofs by which they are to be sustained: and why? that he may be prepared to bring forward rebutting testimony. I cannot sustain the appeal, because if I must give judgment it will be on ex parte evidence. I must believe, with several of my fellow judges, that I am to judge from evidence before me. I cannot go beyond the testimony. I was warned of this from the chair when we went into our judicial capacity: and I felt at the time as if I were taking such an oath as is tendered to a juryman. When the character and ministerial destiny of a brother is placed at my disposal, surely I must confine myself rigidly to evidence produced in this court without going out of doors. But to proceed on such testimony as we have had here, I must not only pronounce Mr. Barnes guilty of heresy, but must, as we were exhorted the other day, "tear his ministerial robes from off his person."

[R. Breckinridge. I ask if the gentleman means me? if he does, I shall move the Synod that what he says is false.

Moderator. It is not in order to use the expression that what a brother says on the floor is not true.]

Mr. H. Well, sir, if the words were not uttered the sentiment was, and from the lips of more than one here present, and I repeat, that were I to judge of brother Barnes from what has been exhibited here only, I should pronounce him a gross heretic, and should believe that he did deserve to have his "robes *torn* from him." A man who denies original sin, native depravity, and salvation by faith in the righteousness of Jesus Christ, is at war not only with the Calvinistic but with the christian system. Such a man ought not only to be deposed from the ministry, but if he were a member of my church I would immediately institute process against him. I am unwilling to hasten to a decision. If others can see their way clear, let them rush to a conclusion; but I for one am not prepared. I want light: and I must have much more

than I have before I can consent to destroy the character and usefulness of a fellow laborer in the vineyard of our God. Another reason why I cannot sustain this appeal is because the prosecutor did not commence as our Lord directs in the twenty-sixth chapter of Matthew. Nor has the trial been conducted according to the constitution. I think that if Dr. Junkin had acted in the first instance on christian principles, instead of sending Mr. Barnes a letter telling him, he meant to drag him before a church court to answer for his doctrine, he would have gone to him personally, would have entered his study, and there in a brotherly spirit have pointed out wherein he considered him in error. Had he done this, I do believe that there is candor enough, and Christian spirit enough in Albert Barnes to have induced him at once to strike out all the exceptionable phrases from his book.

I am the more satisfied of this from what was told me by one of our orthodox brethren. After reading his book, he went to brother Barnes and showed him some passages he had marked as objectionable: upon which, with characteristic meekness and candor, he at once took out his pencil, drew a line round the words, and promised that they should never appear in any future edition. And did he not tell the Synod in his address to us, that he had altered a number of the passages which the prosecutor and the reviewer had objected to? Now the true end of discipline is to secure not the condemnation, but the reformation of those on whom it is exercised. If this course had been pursued in a spirit of kindness, and the irregular and unconstitutional steps which have been taken had been avoided, there might before this time have been an end to the dispute; and instead of standing here frowning upon each other with drawn swords in our hands, we might have been weeping together, with our arms on each other's necks, over the desolations of Zion.

Mr. Jones.

I shall not give judgment in this cause: not because I have any doubts in point of doctrine, for I think I know what brother Barnes's views are, nor because I have any doubt what the judgment ought to be; but because, under the circumstances of the court and of the case, I have no constitutional right to give any judgment in the matter.

Mr. Landis.

Brother Barnes has been termed a semi-Pelagian, as he denies that Christ suffered the wrath of God. In regard to his sentiments on this point I am not disposed to agree with him, for I subscribe to the creed of no fallible man: but in taking the position he has is he guilty of heresy? Even orthodox individuals

when they subscribe the Confession at their ordination, do not conceive themselves to declare that they approve *ex animo* of every jot and tittle it contains. Even among those who profess to do this, and hold that every one ought to do it, we find, in fact, many differences of opinion. There are many different views in relation to the nature of the atonement, the condition of infants, the mode and subjects of baptism, and many similar matters among those who do subscribe the standards *ex animo*. Now consider how differently different men expound the Confession. Heresy is a departure from fundamentals in religion: in the calvinistic sense of the term, it is a departure from the fundamentals of Calvinism: so, in the Presbyterian sense it is a departure from the fundamentals of Presbyterianism. In regard to Ridgeley, none will dispute that he is a Calvinist; his work is studied in our Theol. Sem's: yet he denies that Jesus Christ is the eternal Son of God. The very man who is quoted against brother Barnes avows such to be his belief: a sentiment which every one views with abhorrence. Yet Ridgeley is a standard Calvinist, and no man ever accused him of heresy. And now I ask is brother Barnes to be pronounced a heretic because he denies that Christ suffered what may properly be called the wrath of God? I say no. And on this subject I call the attention of the Synod to the language of a man who took a prominent stand and had an important part in framing that Confession which we adopt as the standard of our church. I refer to the celebrated Lightfoot. In the 2d volume of his works, page 1347 he has the following [Here Mr. L. quoted from Lightfoot. Not having the work we are unable to give the extract.]

Here we have an individual who has given form and feature to many parts of our standards, and whose sanction the whole confession received, who yet maintains openly the very contrary to the doctrine held by Dr. Junkin. It is well known that much debate was had in the Assembly before it was agreed to insert in the confession a declaration that Christ suffered the wrath of God, and here is Dr. Lightfoot maintaining a sentiment directly the reverse of it. I have a memorandum of other quotations from his work, all going to show the same thing, but I cannot now lay my hand upon it. Now if Mr. Barnes, for denying this position, is to be pronounced a heretic, then, on the same ground, Dr. Lightfoot must be a heretic also: and others of those distinguished men who feigned a confession are heretics with him. We have been told that we know nothing of law, nor need we know. To judge in a case like this, it does not require that a man should know so much as the A B C of a county court. The argument is plain and simple.

If brother Barnes is a heretic then Matthew Henry is a heretic. It may indeed be said that his views on this particular point do not agree with the confession; no more did those of Dr. Lightfoot, who helped to make the confession. Yet Dr. Lightfoot was not accused of heresy either then or since. On the contrary, he and his venerable brethren lived and prayed like christians together, and never fell out by the way. And shall a beloved brother in the midst of us whom God has blessed and made eminently useful, be dragged up like a criminal before a church court for holding the very opinions which were held by those who drew up our confession? I blush to think of it.

Mr. Grander.

I feel constrained, on this occasion, to offer a few remarks, arising out of the simple consideration that I have had a better opportunity than many of the brethren here present to know the sentiments of brother Barnes, as proclaimed by him from the pulpit, having sat for two years under his minstry at Morristown. I am amazed at the charges, and at the evidence adduced to support them, and it is my solemn conviction that the sentiments of Mr. Barnes have, on the most vital points been misapprehended, or wilfully misrepresented. I speak particularly in reference to the two points of the moral ability of a sinner and of the imputation of Christ's righteousness for his justification. Brother Barnes was in the habit when at Morristown, of lecturing consecutively on different books of the Bible, and among others, he lectured on the epistle to the Ephesians, from which epistle it has been attempted to prove that he teaches heresy. I asked brother Barnes last evening whether he ever believed or declared, either verbally or by writing, or ever intended to be understood as declaring that men can convert themselves. His answer was, "I never did:" and my testimony, as one of his hearers, is, that I never heard him so declare. Indeed I never heard such an opinion taught by any minister on earth. I suppose Dr. Junkin uses the term conversion as synonymous with regeneration. That men can regenerate themselves is an absurdity, and the sinner will not impute an absurdity of that kind to a man of acknowledged talents and whose views in general on points of theology are admitted to be correct. But what is the point actually aimed at by the charge of Dr. Junkin? It is the distinction between natural and moral ability, a distinction at this moment held by a great majority both of the ministers and members of the Presbyterian church. But is the holding of this distinction equivalent to maintaining that men can convert themselves? Dr. Junkin probably believes so, but we utterly deny

it, I have not so apprehended truth. Mr. Barnes I know does teach man's moral inability, I have heard him over and over preach that sinners are utterly opposed to the government of God, that they are so unjust to the divine claims, so grossly disorderly, and so utterly rebellious, that nothing but omnipotence can overcome the enmity of their hearts. As to the charge of maintaining that all sin consists in action, I suppose that the prosecutor intended by it to be understood as accusing Mr. Barnes of denying original sin, but I with others heard Mr. Barnes no longer ago than last Sabbath declare that when Adam fell, the fountain of the race became corrupt, and that in consequence all the streams from the fountain became corrupt also, and that all mankind came into existence under the curse. I have not read his whole book, but I believe so far as I have looked at it that it corresponds to his teaching in Morristown, and I do know that there he taught that men come into the world destitute of original righteousness, corrupt at heart, and subject to pain and all woe, and this in consequence of Adam's sin; and is not this teaching the doctrine of original sin? As to his denial of justification by faith in the righteousness of Jesus Christ I sat in amazement while the charge was read. I have heard him when he was my pastor bring out that doctrine again and again in the most explicit terms. Indeed the great object and drift of his preaching was to declare God's new method of justification, by faith in the righteousness of his Son. If Dr. Junkin doubts it let him go and ask the people of Morristown. If that people could have been here present and listened to these charges, and the testimony adduced to support them, they would cry out with one voice "if Mr. Barnes teaches so he must have changed his sentiments more completely than any man on earth." Dr. Rodgers and Dr. Ridgeley had both been there, yet they declared that they had never had a minister who taught the Calvinistic system of doctrine as plainly and as pungently as Mr. Barnes. I know that he has thrown away the phrases "Original sin" and "Covenant of works" but the Repertory declares that he has taught the facts in the case, and this is all that any man, the most orthodox, wishes to have taught. While the truths are taught why should we be alarmed at the disuse of a phrase? Why were counter statements quoted from the Biblical Repertory? Not for the purpose of making the Repertory contradict itself. For what, then? The Repertory had declared that the denying of original sin involved blasphemy, and that seems to be the point which brethren wish to establish. They bring the Repertory to declare that denying original sin involves

blasphemy, and then they endeavor to show that Mr. Barnes denies original sin. The influence which must follow is sufficiently obvious. A brother was taken to task for affirming that it was declared from a certain quarter that Mr. Barnes deserved to have his robes of office torn off his back, but I heard that language used, and I know what was the aim of using it; indeed it was expressly avowed that a man who holds these sentiments ought no longer to hold the functions of a christian minister. The brother who advanced such sentiments has entered with a torch the very citadel of the Presbyterian church. I would say to him "hold back your hand the magazine is there. If you cast fire there, the destiny of the Presbyterian church is sealed, she falls to rise never again but in the disjointed fragments produced by the explosion."

Mr. PICKANDS.

When the testimony and argument had been closed, a brother suggested the propriety of commencing the call for individual opinions at the lower end of the roll, that some of the younger members, and those supposed to be friendly to Mr. Barnes, might first be heard. I took this proposition kindly —its object was to secure us a hearing; but as things now stand, members begin to say that they are tired out, their attention begins to flag, and Mr. Barnes's friends forming but a small body, and coming in at the end of a long and wearisome concern, are in danger of being crowded out by the mere impatience of weary brethren. Now I have myself interrupted no one, and as I have not long to speak, I hope that the friends of Mr. Barnes will be heard with the same patience and indulgence as has been extended to those who have spoken against him. I wish to correct an error. I know that all who advocate Mr Barnes, are, by a certain class of brethren, supposed as a matter of course to agree with all his sentiments. Now, as I do not desire to lose the love of these brethren, from a misapprehension, I declare, in the outset, that I am an old school man. I do not approve of the mode of speaking pursued by our brethren of the other side, and this the records of the Presbytery, when they shall by and by come to light, will show. It may be asked, "why then do you stick to him?" My answer is—"as an American, I stand by to see justice done him." I thought that, under the influence of heated passions, there might be some danger of rash and unjustifiable measures, but I disclaim all identity with Mr. Barnes in matters of modern speculation. I do not like the new philosophy, nor do I approve of the terms and phrases which have been introduced by its friends; yet

while I avow this, I do not consider that the use of them amounts to an offence so grave, that a man must be decapitated for it. But when I ask myself the question, Can you sustain the present appeal? I find my mind running back over the whole ground of controversy, and a very serious responsibility immediately presents itself. I believe that there is not a brother here but feels that responsibility and feels it deeply. I believe there is no man here that is not honest in his course. However we may differ, I believe it is a difference arising from honest conviction of duty. I concede this to others, and all I ask, is, that they will allow me the same. If we cannot agree, let us agree to differ. But why can I not sustain the appeal? If I do sustain it, it must be on evidence; but what evidence have I heard? None but what the prosecutor has brought here. None, not a scrap but what forms part and parcel of the prosecutor's speech. None but that concerning which a witness swore that it formed no part of the Presbyterial record. All the rebutting testimony is absent. The legal and learned brother over the way, (Mr. Robert Breckinridge,) who takes so leading a part in pressing the prosecution, has not pretended that all the evidence is here; he does not take that ground. Others say that it is here—that we have got all we ought to have, and all we want. As an argument to sustain the charge of heresy, we are told, that the work on the Romans was intended for the use of children, and another brother reminds us that it was prepared for Sabbath school teachers. When I heard this argument, I thought within myself, there are precious few of our Sabbath school teachers who are competent to understand it, and what are the children to do? A venerable father near the chair (Dr. Cathcart) informed us, that before a man attempts to write upon the Romans, he ought to have studied theology for forty or fifty years. When I heard this, I said to myself, "How then can I be competent to decide upon such a work, or tell whether it is heretical or not?" Suppose I was a blacksmith, and never had had any opportunities of education, should I be competent to "decide, when doctors disagreed"? And how can these elders judge in such a case?

[The Moderator here called Mr. Pickands to order; observing, that there were many elders present in the Synod quite as competent to judge on a question of theology as the gentleman himself.]

Mr. Pickands resuming. I meant no reflection on the eldership; I hope not so to be understood. I was for years a patient listener at the feet of Dr. Alexander, and I may be permitted to say that I passed through the whole course of studies at Princeton,

with no mean character; for the evidence of which, I may refer to documents still existing in that institution; and as to my progress since leaving the Seminary, I cherish the humble hope that my poor labors, with the fruits that have followed them, are registered in Heaven: yet I confess that, with me, there is great difficulty in deciding, when I find men superior *toto cœlo* to myself, differing entirely in their views. But this is not all. Not only is the testimony exparte, but the records of the church below are not here. Sir, I know why those records are not here. I know something of the origin of the existing state of things, and I know that the Presbytery had nothing to do with it. It came from another source; and when it was proposed to withhold the records, Mr. Barnes was at first decidedly opposed to that course, and he only submitted to it at last, because the minds of his brethren were made up to take their stand on a great constitutional question. How came the Presbyteries of New Castle and Lewes to agree to this measure? Can any one suppose that they meant to expose themselves to injury, merely for the sake of defending Mr. Barnes? No. It was the result of a deliberate and prayerful view of their duty. But I ask, has not a man put on trial for his life, a right to avail himself of all constitutional points which are in his favor? If such a man should deem it not expedient at this moment to come to trial, and find that there is some point in law, which, if pressed, will enable him to postpone his trial to a time more favorable for him, is it unfair to avail himself of it, and thus get his trial put off until a time when, as he supposes, he shall be more likely to obtain justice? I think not. Mr. Barnes was ready for trial. He expected to be tried, and declared himself to be ready, but he then discovers that the constitution put it in his power to postpone his trial till the meeting of the General Assembly, and he accordingly objected to have the trial now proceed. The Synod overruled his objection and resolved that they would go on with it. Very well; that is, with them. But does that justify me? I am placed here on judgment on my fellow man. Will it justify me to say that the Synod is resolved that the trial shall proceed? It will not. I am staggered, and feel at a loss to proceed. I confess I was surprised to hear it said by Dr Junkin on this floor, that if Mr. Barnes chose to suffer the trial to go by default it was not our fault. I suppose a cause goes by default when the party prosecuted does not appear, or neglects to plead, but Mr. Barnes did appear and did put in a plea, how then can it be said that he has suffered his cause to go by default? He came before us, he put in his plea to our jurisdiction, and when

his plea was over ruled he took an appeal to a higher court. He did so under the declared conviction that he could not defend himself at our bar without admitting our jurisdiction and the constitutionality of his trial: but this he could not do with a good conscience. He was shut up to the alternative of either taking this course or refusing altogether to plead and letting his cause go by default. For myself, having once taken constitutional ground, consistency urges me to go forward, but as to Mr. Barnes I believe he had more anxiety for a trial of his case than any man here, and well he might. Who of us, would put himself in Mr. Barnes' place for five minutes? I am astonished to hear it said that we are to consider him as having voluntarily chosen to make no defence, when according to his views and his conscience he *could* make none. On the whole, I doubt greatly whether the present trial is regular; I doubt whether the charges have been proved; and I doubt whether pushing the Synod to a final issue at this time will not do more hurt than good. We are told indeed that we are not to regard consequences: yet the very next moment, the same gentlemen paint to us the consequences of letting Mr. Barnes run at large in the most fearful colors. Now I repudiate and abhor this doctrine, that we are not to look at consequences. We ought to look at them: we must look at them. The way to stop error is not to condemn men rashly. You may get a man to correct his errors while you spare his feelings, and treat him as a brother: but once openly denounce him, and all the means ingenuity can devise to spread his book to all the winds of heaven will not be more effectual.

Mr. CAMPBELL.

[Mr. Campbell began to speak when the usual hour of adjournment was near at hand, and the House was very impatient: he was frequently interrupted by motions to adjourn, and finally yielded to the will of the Synod by relinquishing the floor: but before he resumed his seat he gave notice that he should prepare and put into the hands of the Reporter a written report of his speech as he had intended to present it and should request its publication in place of the broken remarks he had been permitted to submit. Many voices expressed hearty assent to this arrangement; whereupon the Synod rose for an adjournment. Mr. Campbell complied with his pledge, and we have in our possession his own report of the speech he had intended to deliver. We may, perhaps, insert it in the Appendix.

Tuesday Evening, Nov. 3.—After recess the Synod met, when

Dr. GREEN quoted the following passage from the 3d section of the 7th chapter of the Book of Discipline:

After all the parties shall have been fully heard, and all the information gained by the members of the superior judicatory from those of the inferior which shall be deemed requisite, the original parties and all the members of the inferior judicatory shall withdraw; when the clerk shall call the roll, that every member may have an opportunity to express his opinion on the case; after which the final vote shall be taken.

If I understand, said the Doctor, the position of this house, at this time, it is that in which we are called upon to give our final vote in the case before us. I therefore move that the appeal of the Rev. Dr. Junkin be sustained, and that the decision of the inferior court be reversed.

Dr. CUYLER. Let the decision of the Presbytery first be read.

It was read accordingly, and the roll being called, the vote of Synod was taken as follows:

For sustaining—Dr. Green, Mr. Potts, W. Latta, McCalla, Janvier, Lawrence, C. Williamson, Winchester, Parker, J. Grier, Harned, McEuen, Kennedy, Bradford, Blythe, Macklin, Elliot, *Algeo* Richmond, Cade, Black, Moore, Stratton, Woodward, Symington*, Dr. Cuyler, Mr. Belville, Steele, Dinwiddie, Gibson, *Vanarsdalen, Leech, Stokes, Durfor, Brown*, Dr. Martin, J. Latta, Boyer, Finney, Park, J. N. C. Grier, Douglass, Love, Houston, Russell, Symmes, Davis, Davie, Rutter, *Gemmel, Kelton, Steward, Bayless, Whiteford, Buchanan, J. Patterson, Murphy, Wahn, Penny, J. Love, Jackson, Evans, Kerr*, Dr. J. Breckinridge, R. Breckenridge, Musgrave, Morrison, *Morris, Fenby, Drurie, Sterret, Coleman*, Dr. Laurie, Harrison, *R. Hunter*, McGinley, Moody, Wilson, Sharon, Buchanan, J. Williamson, McKinley, McCachren, Quay, Creigh, Patterson, Watson, Wynkoop, White. *Rodgers, Jordan, Fullerton, Graham, Blair, Woods, McCoy, Irwin, Cassat, Gubbie, Agnew, Linn, McIlvane, Milligan, W. Davis, A. McGauley*, Hutcheson, Linn, Hill, McKinney, S. Wilson, Moore, McWilliamson, Olmstead, Annan, *McAlister, Humes, Baley, Kerr, Gilland, Porter, N. Wilson, Barr, Irwin, J. Wilson*, Patterson, Grier, Smith, Todd, Barber, Hudson, Marr, Sheddon, *Moorhead, Sheddon, Ferguson, J. Boyd, Clark, Grier, Laird, Rankin, Hepburn, Sanderson*, Galey.

Against sustaining—Adair, Perkins, Dr. Cathcart, *Graydon*, Gilbert, Howe, Hammil, Jones, Landis, Knox, Granger, M. Patterson, McKim, Campbell, Brown, *R. Boyd.*

Non liquet—Dr. McDowell, Dr. Neil, J. Barr, Morrison, *Kirkpatrick*, Phelps, Post, Bosworth, Graff, Kennedy, McKnight, Dewitt, Dickey, R. S. Grier, *Wallace.*

Excused—Morss.

* Elders in italics.

The vote was declared to stand:

For sustaining the appeal, 143
Against sustaining, 16
Non-liquets 15
Excused from voting, 1

Before the result was announced,

Mr. MUSGRAVE inquired whether, if the Synod voted to sustain the appeal, they were as of course to be understood as sustaining all the charges preferred by the appellant.

Dr. CUYLER. It was with that view that I asked for the reading of the sentence of Presbytery. The question was put in a general form, the vote is to be understood accordingly.

Mr. MUSGRAVE. Then a man may sustain the appeal generally, though he does not believe some one of the charges to be proved. I, for one, am not satisfied that any individual charge has been established, although I think that those containing the most important errors have been made out.

Dr. CATHCART. My understanding is the very reverse of this. The sentence of the court below acquits the accused. The appellant wants that sentence reversed. Whoever votes to reverse it, votes to condemn him *in toto*, so that if any man believes that any part of the charges have not been sustained, he cannot vote to sustain the appeal.

Mr. MORSS was, after repeated applications, excused from voting.

Mr. HARRISON made an explanation imperfectly heard by the Reporter, owing to Mr. H's distant position, but the substance of which he understood to be, that although he considered Mr. Barnes to hold serious errors, yet he was not prepared to vote him guilty of heresy.

The result of the vote was now officially announced to stand as follows:

For sustaining, 143
Against sustaining, 16
Non-liquets, 13

Leaving the actual majority in favor of sustaining the appeal, 111.

So the appeal of Dr. Junkin was sustained by Synod.

Dr. Laurie, Dr. Cuyler, Mr. R. Breckinridge, Dr. Martin, Mr. Linn, Mr. Maginley, with Messrs. Hepburn, Cassatt and Morris, were appointed a committee to draw up a minute expressive of the decision of Synod.

[Mr. R. BRECKINRIDGE now introduced a letter in reference to something which had been said in a prior stage of the proceedings in regard to the minutes of the 2d Presbytery of Philadelphia, and in which he understood the character of Mr. Boardman, Clerk of the Presbytery, to have been implicated. The letter was exculpatory of Mr. Boardman, from all blame in

the matter. Mr. Breckinridge commented with some severity on what he understood an attempt by Mr. Duffield to throw the responsibility of the non production of the Presbyterial records on the neglect of Mr. Boardman. Mr. Duffield, in reply, utterly denied all such intention, and appealed to those who had heard his language. He responded with warmth to what he considered an unfounded charge, and expressed much personal regard for Mr. Boardman. It appeared, on the whole, that Mr. Breckinridge's impression had arisen from a misunderstanding, and that his warmth of remark had been prompted by the desire to vindicate an absent friend. The letter being a private one, was withdrawn: and the Reporter deems the above all the notice that it is proper to take of what passed on the occasion.]

Mr. WINCHESTER, from the committee appointed to draw up a report in answer to the appeal of the 2d Presbytery of Philadelphia, presented the following:

The committee on the paper purporting to be an appeal, &c. of the Assembly's Second Presbytery of Philadelphia, from the vote of censure passed by Synod, made the following report, which was accepted and adopted, and is as follows, viz:

The Committee appointed to prepare a minute in relation to the appeal of the Assembly's Second Presbytery, against the decision of this Synod, declaring the conduct of said Presbytery in endeavoring to embarrass the proceedings of Synod in the case of Dr. Junkin against Rev. Albert Barnes to be obstinate, unjust, &c. beg leave to report, that said Presbytery have stated in their appeal that their withholding the records in the case of Mr. Barnes was the ground of the decision appealed from. That this constituted a part of the ground your committee readily admit, but the decision of Synod declares the whole conduct of said Presbytery in the premises to be obstinate, unjust, &c. The said Presbytery have moreover erred in declaring that Synod refused to consider the plea to the jurisdiction of the Synod over the case of Mr. Barnes. The records of Synod show that said plea was duly considered and solemnly overruled by a vote of the house. It was declared to be no bar to the further proceedings of Synod in the case, from which declarative decision no appeal, nor complaint, nor protest was entered by the party now appealing, and to which they thereby professed to submit. The plea being overruled, and the overruling act not objected to in such a way as to arrest proceedings, the records were again called for, and again denied to the Synod. Both the Appellant and Appellee having declared their readiness for trial, they were ordered to proceed. But the Appellee finding that the records were withheld by an act of the Presbytery to which he belongs, and to which he made no objection, declined to appear as a party to the trial. Whereupon, the Synod being otherwise possessed of an authenticated copy of the proceedings of the lower judicatory, declared the conduct of said judicatory to be obstinate, unjust, &c.; and resolved to proceed with the trial, leaving the responsi-

bility of not appearing to answer the charges, and of withholding the records in the case, to rest upon those who sought thereby to embarrass the proceedings of Synod, and to defeat a final issue of the case. Against the first part of this decision; namely, that which declares the conduct of the lower judicatory to be obstinate, unjust, &c. the appeal in question is taken. The Book of Discipline, chap. vii, sec. iii, sec. xvi, declares that "it shall always be deemed the duty of the judicatory whose judgment is appealed from, to send authentic copies of their records, and of the whole testimony relating to the matter of the appeal. And if any judicatory shall neglect its duty in this respect, especially if thereby an appellant, who has conducted with regularity on his part, is deprived of the privilege of having his appeal seasonably issued, such judicatory shall be censured according to the circumstances of the case." When the Assembly's Second Presbytery were called upon for the authenticated records in the case of Mr. Barnes, they answered in writing, which answer is on record, that the Synod had no jurisdiction of said case, inasmuch as the said Presbytery, at the time the appeal was taken, belonged to the Synod of Delaware, and that therefore they refused to surrender the records in question. It appeared, moreover, from the acknowledgment of the stated clerk of said Presbytery, that these records were in the house. The Synod overruled the plea to their jurisdiction on the ground that the appeal was taken to this Synod without objection on the part of the said Presbytery, it being fully ascertained that no meeting of the Synod of Delaware could be held, because by the act of the last Assembly it would be dissolved prior to the date to which it stood adjourned. It moreover appeared, from the acknowledgment of Mr. Barnes, that he, (although the party accused,) knew no hing of the intention of the Presbytery or of any of its members, to enter a plea until he came to this Synod. The Presbytery appealing, state as the ground of their appeal, that they appeared, that they were censured unheard. But the records of the Synod will show that after the refusal of said Presbytery to deliver up the records, the Synod ordered that said Presbytery forthwith lay their records on the table of Synod, copies of which order were furnished to the Moderator and stated clerk respectively of said Presbytery. In reply to this order the said Presbytery presented to Synod a paper duly authenticated, reiterating their refusal and pleading as their reason that the Synod had no jurisdiction over the case. The prosecutor also applied to the stated clerk of the lower judicatory, for an authenticated copy of the records in his case, which, though a matter of right to the prosecutor, was nevertheless, formally denied him, which denial is on record. Thus it appears that after repeated and proper steps being taken by the Synod, to procure the records, the said Presbytery continued to withhold them, whereupon the Synod made the decision from which the appeal was taken. The said Presbytery were heard by an authenticated, and being out of the house, as the judicatory from which the appeal was taken, they could take no part in the discussion of any question connected with the appeal.

Had the absence of the records been owing to mere neglect on the part of the lower judicatory, the decision of the Synod

would doubtless have been different from what it is. But the truth is otherwise. The parties, together with the lower judicatory, came up to Synod with the expectation and understanding that the trial would regularly proceed. Why else were the records brought here? Not to be reviewed, for if the jurisdiction of this Synod commenced with the actual union of the two Synods, it was not competent to this body to review their anterior proceedings. If no such understanding existed, why was Mr. Barnes kept in utter ignorance of the course contemplated by the Presbytery to which he belongs?

Your committee would observe by the way, that they cannot imagine that the General Assembly, in passing the minute by which the Synods of Delaware and Philadelphia were united, ever contemplated the ground now taken by the Assembly's 2d Presbytery, nor that they ever intended to screen those doings of the Presbyteries formerly attached to the Synod of Delaware, which took place between the meeting of said Assembly and the Synod of Philadelphia, from the review and control of a superior judicatory.

When the book makes it the duty of a superior judicatory to censure the court below, for contumaciously withholding their records in a case of appeal, your committee believe that it does not contemplate nor make provision for a judicial process against the offending presbytery, in order to arrive at the result against which this appeal was taken. The fact of withholding the records in this case is admitted. It is a matter of record. The circumstances which mark the conduct of the Assembly's 2d Presbytery in this matter, as they appear on record, do, in the judgment of this Synod, render that conduct highly contumacious. This judgment the Synod have solemnly expressed. In a case of review and control, where the Presbytery under review is charged by common fame with gross irregularities in their proceedings, the book requires a citation to be issued to the Presbytery alleged to have offended. But here was no charge either by common fame or by a responsible party. The facts, which this Synod declare render the conduct of the Assembly's 2d Presbytery contumacious, are admitted facts, as the records show.

The book, unquestionably never makes it necessary for one judicatory in censuring another for contumacy to cite and hear the offending body, for contumacy consists in not regarding the citation and in refusing to be heard. Hence it may be impossible ever to censure a body for contumacy, if it be essential to the justness of such censure, that the party offending should be heard in defence. Your committee therefore believe that there is no real ground of appeal in the case before us, but at the same time recommend the appointment of a committee to defend the decision appealed from, when it comes up before the Assembly.

Mr. R. Breckinridge moved that the report be received, adopted, and put on the records of the Synod.

Mr. Barnes. There is an error in the record in relation to myself. I think it is there said that I was asked if I had any objection to make to the decision of Synod.

Mr. Winchester. I will read that part again. [He read the clause accordingly.]

Mr. BARNES. That is what I complain of.

Mr. WINCHESTER. I have stated the fact according to my recollection. If it is not correct, I hope it will be made so.

Mr. R. BRECKINRIDGE. My recollection corresponds with that of Mr. Barnes.

Mr. MORRISON. My recollection is, that Mr. Barnes said, that although, if it were the case of another, he might have done the same thing which his Presbytery had now done, yet in his own case he would not give an opinion.

The report having been slightly amended, was then adopted.

Dr. J. BRECKINRIDGE, from the committee on popery, made the following report:

The Committee to whom was referred the subject of Popery, with instructions to report an appropriae minute for the adoption of Synod, beg leave respectfully to recommend the adoption of the following resolutions, viz.

1st. That it be recommended to all the ministers under their care to preach from year to year on the 31st of October, (or on the Sabbath immediately preceding or following that day) a sermon or sermons designed to commemorate the ever memorable reformation from Popery, setting forth its necessity, nature, and effects, and the importance of keeping alive, and extending its glorious principles, especially in this age and country.

2d. That this Synod with a view to contribute still farther to the same general object, appoint a committee of nine consisting of five ministers and four elders, who shall be authorised to appoint subordinate committees in the different Presbyteries connected with this Synod, as they may deem proper.

3d. That it shall be the duty of this committee to aid in the circulation of authentic and judicious books and tracts on this controversy, especially of such as are founded upon the accredited standards of the Papal communion, and to adopt any other means which to them may seem expedient, and adapted to diffuse light in the spirit of love.

After a brief explanation by Dr. B. stating that the day proposed in the report was that memorable day on which the intrepid reformer nailed upon the church doors his Theses against Tetzel—the report was accepted and adopted: and Messrs. Green, Cuyler, Blythe, W. Engles, Woodward, McKean, Brown, and Joseph P. Engles, were appointed a committee.

Messrs. Winchester, Musgrave, and McKinney were appointed a committee to defend the Synod in all appeals to the next General Assembly.

The Synod now proceeded to take up the report on the last day. It commenced as follows:

That from the accounts received from the Presbyteries in their narratives on the state of religion, it appears that there has been through the year, in our churches generally, with few exceptions, an absence of divine influence.

Mr. MUSGRAVE observed that the report spoke of the absence of divine influences during the past year, and suggested the propriety of inserting the word "special" before divine influences.

Mr. MCCALLA wished the whole clause stricken out. It was his decided conviction that the position there stated was incorrect. He did not believe that there was any evidence to conclude that divine influence had been withdrawn from the bounds of the Synod. On the contrary, he did believe that the present aspect and condition of that body exhibited more evidence of true divine influence than had been known in the Presbyterian church for twenty years. There was a great difference between the edification of a church and the extension of a church by mere addition of members. I think, said Mr. McC., that what has transpired this evening, contains an evidence of divine influence, such as should warm all our hearts.

After some further conversation, the word special was inserted, and the report adopted.

The report of the auditor on the treasurer's accounts was received and adopted.

Mr. ANNAN, from the committee appointed to examinine the records of the 2d Presbytery of Philadelphia, reported that those records had not come into their hands, nor had they taken any steps to obtain them, because they were satisfied that if they had made the demand, it would not have been complied with.

Mr. WINCHESTER. I hope the committee will be instructed to ask for the records, and if they are refused, that the reasons given for the refusal will be recorded.

Mr. ANNAN. Is it then our duty to go to the officers of that Presbytery, and demand the books?

MODERATOR. I think the committee ought to do so.

Dr. MCDOWELL. I move that the report of the committee stating that the books have not been put into their hands, be accepted as sufficient, and that the committee be discharged.

Mr. WINCHESTER. I oppose that motion. In an ordinary case that might be proper enough, but this case is peculiar. Our report to the Assembly states that the minutes of that Presbytery are here, and how will it look for us to report that they have not been examined? I wish it to appear that the Presbytery have refused to submit their minutes for inspection from the last meeting of the Synod of Delaware up to this time. Within that period the Presbytery may have been guilty of gross irregularities. Is that record to sleep forever? I hope not; and I hope the chairman of the committee will make a formal application for the Presbyterial book.

Mr. ANNAN now requested that the Moderator of the Synod would inquire whether the books were in the house.

MODERATOR. Are the records of the Assembly's Second Presbytery of Philadelphia here present?

Mr. ADAIR. The members of that Presbytery are not now present in the house.

Dr. ELY. I do not know whether the minutes are present or not, but I believe they are not in the house.

Mr. ANNAN now renewed his report, and the committee were discharged.

The Synod now proceeded to consider the report of the committee appointed to arrange the Presbyteries, and the first report of Dr. Cuyler on that subject was read.

Dr. McDOWELL presented a remonstrance of the 2d Presbytery of Philadelphia, (synodical,) against the proposed arrangement for presbyterial boundaries.

[On this subject a debate of much animation took place; but as it was necessarily of a character in a great measure local, and as the great length of this report renders it desirable that it should be as much curtailed as propriety will admit, we shall content ourselves with a very brief notice of what was said.]

Dr. NEILL stated the wish of the 2d Presbytery (synodical) to be, that the line of division at present existing between the Presbyteries should not be disturbed. He dwelt on the harmonious and happy condition of the Presbytery, and their desire not to be broken in upon by any new arrangements which should mix them up with the disputes and agitations which had so unhappily convulsed the churches of Philadelphia within the last year.

Dr. McDOWELL warmly opposed the plan of throwing all the Presbyteries together. It would form the enormous body of one hundred and forty members. He was aware of the difficulty arising from the existence of the Assembly's 2d Presbytery, and was settled in the opinion that it ought either to be dissolved or limited. If left in its present state, it would soon be in possession of the whole city of Philadelphia. He dwelt upon the frequent changes which had taken place, the new difficulties and perplexities still recurring, and declared, with a groan, that his heart was fairly broken down under the burden of such a state of things. All he wanted, was to know where he was, and there he wished to remain; but as things now stood, nothing was fixed, nothing could be calculated on, and he looked forward to every meeting of Synod with dread. As soon as any good began to be done, it was all broken up, and the hopes of the best friends of the church utterly blighted.

He had another plan, which he thought would obviate much of the evil now complained of.

After some conversation, in which Messrs. Winchester, J. Breckinridge, and Belville took part, Dr. McDowell read the plan, but did not press it.

Mr. JAMES PATTERSON said, that before his Presbytery was destroyed, he wished to be indulged in a few words. He was entirely opposed to the plan of throwing the three Presbyteries into one mass. He had not, for twenty-one years past, enjoyed as much personal comfort as since their Presbytery had been set off into a separate body. Since that time, all things had been going on well; and what was the unpardonable sin for which the Presbytery was to be put to death? Was it because they had organized four or five churches? Was it so great a crime to make new churches among a population, in the city and county, of two hundred thousand persons, not one fourth of whom went to any place of worship? Was the Synod resolved that the quarrels in Philadelphia should continue? Mr. P. adverted to the commanding station and extensive influence of the Presbyterian church in the United States, and the pernicious effects upon that influence of her unhappy divisions. As an argument to enforce his warning against what he considered an oppressive course of measures, he adverted to the state of the church in England in 1662, and went at considerable length into a history of the persecutions of the evangelical ministers, by the high church party in that kingdom, and the issue of the struggle in leading to the act of Toleration.

Mr. GIBSON inquired whether this was in order, observing, that the Synod had heard this whole detail as often as Mr. Patterson had spoken.

Mr. PATTERSON resumed, and insisted that the case was in point, as going to show the injurious effect and abortive result of all attempts to coerce the consciences of men by ecclesiastical authority. The Synod never could squeeze the heads of ministers all into one shape. The trial in England had failed, and the attempt in America would still more signally fail. He adverted to the spotless character and high religious attainments of those who were the objects of persecution and contumely by the zealots of the high church party, among whom were such men as Baxter, Flavel, Henry, Mead, Bates, Howe, &c. and the discontent, turmoil, and faction produced by such a course, and conjured the Synod not to pursue a course of conduct which must rend the General Assembly, and with it the whole Presbyterian church, and eventually prostrate the influence of the greatest religious body now on earth. He adverted to the passage in Ezekiel, where Israel and Judah

are represented as two sticks in the prophet's hand, and dwelt upon the happy effect of union in strengthening every good design. He knew that Synod had the power, if they chose to use it, of crushing the 2d Presbytery, and they might push matters so far, as to leave to certain ministers no other alternative but to retire and form voluntary associations. Thus a high toned Presbyterian body would become themselves the promoters of congregationalism. For one, he should deeply regret such a result; and he warned the gentlemen who were urging on this state of things, to remember, that it was the lay members of the church who held the wealth of the church, to whom they had to look for the support of their seminaries. They might rely upon it that matters would not end here. Gentlemen might find their resources dried up, before they were aware of it; but be the result what it might, he repeated the warning, that to crush all minds into one mould was a vain and futile attempt, and so they would find it.

Dr. GREEN made a brief reply. He disclaimed all attempt at coercing any body. All he sought or desired, was, that brethren who walked together should be agreed. As to the voluntary associations of which the brother had spoken, he wished, with all his heart, they might be formed, if such was the brethren's desire. As to the instances cited from the persecutions of the British church, there was no analogy between that case and the state of things in this country. That was a tyrannical attempt to enforce the forms and rites of episcopacy upon men who were conscientiously opposed to them. Nothing of the kind was thought of here. The Synod sought no religious establishment, but merely to secure such a state of things as that those who thought alike should go together.

Mr. PATTERSON responded, and expressed the extreme reluctance with which he should be compelled to leave many to whom his heart was united, and whom he considered as the very life's blood of the church; yet he, and those who acted with him, had now been told that they might go off, and the sooner the better. The father of the Presbyterian church had expressed his hearty consent to their becoming Congregationalists; but were there no differences among the orthodox—on the baptism of children, for example? Some required faith in both parents, some in one only; while others would baptize the children of those who merely led a moral life. Would the father say to these, his orthodox coadjutors, "Go off, we can't agree"?

Dr. LAURIE, from the committee appointed to prepare a minute in the case of Mr. Barnes, now brought in the following report:

"The committee appointed to bring in a minute in the case of appeal from the (Assembly's) 2d Presbytery of Philadelphia, wherein George Junkin is Appellant, and Albert Barnes Appellee, submit the following report and resolutions.

This case has been brought up regularly by appeal, as reported by the Judicial Committee of Synod, and unanimously resolved by the Synod itself.

The original parties, namely, Dr. Junkin and Mr. Barnes being called on, answered that they were ready personally to proceed with the cause.

Subsequently the Assembly's 2d Presbytery being called on for their records of this case, when tried by it refused to produce them; and upon being formally ordered to lay them on the table, still refused to allow the Synod the possession of their records. Upon this, the Appellee, (Mr. Barnes) put in a paper pleading to the jurisdiction of Synod, and declining the trial, and withdrew from the Synod.

Thereupon the Synod passed orders that the Presbytery had acted disorderly, &c. and censuring them therefore; that the Synod still found itself in circumstances to proceed to trial; and that Mr. Barnes' paper and the plea contained therein, was no bar to the regular issuing of the case.

Then the appellant was fully heard. The Appellee was called and did not appear. The members of the (Assembly's) 2d Presbytery of Philadelphia being called on for explanations of their decision, put in a formal refusal. The roll of members was called, and this committee directed to prepare a minute.

1. That the appeal was orderly and regular, and ought to have been brought to this Synod, and issued by it, is apparent, from the reasoning and references in the minute censuring the Presbytery, and from the VII. Chap. 3 Sec. and 6 sub. sec. Discipline; and Chap. XII. Sec. 4, Form of Government. The duty thus regularly laid upon this Synod, by the Appellant, with the approval, as appears to us, in the first instance, both of the Appellee and the lower court, we seemed called on to perform by the voice of the whole church, by the just expectation of the General Assembly, by faithfulness to the parties, to the world, to our own souls and to God.

2. The refusal of the Presbytery to produce the records, could not operate to arrest the trial. 1st. Because as is evident from the records of this body, in this case, there was laid before Synod all the proof offered by the Appellant in the court below as also copies of the charge and sentence. 2d. It is not believed that the Appellee offered any proof, technically so called, in the lower court. 3d. It is certain, that if he did offer any proof it was only what is printed in his "Notes on the Epistle to the Romans," out of which also, every word of proof offered by the Appellant in the lower court and this also was taken. But 4th. This refusal of the Presbytery to send up its records, is contrary to its clear duty, defined in Chap. X. sec. 9. Form of Government; and Chap. VII. Sec. 3, and Sub. Sec. 16 of Discipline; and to the spirit and act of the General Assembly of 1835, relative to the dissolution of the Synod of Delaware. 5th. The conduct of the stated Clerk of that Presbytery, in refusing the Appellant an attested copy of the record in this case, expressly violated the general command laid on him by Chap. XX. of

Form of Government, and the equally express personal right secured to the Appellant by Chap. IV. Sec. 16, of Discipline. And the conduct of both the Presbytery and its stated Clerk, is contrary to Chap. VII. Sec. 1, sub. sec. 1 of Discipline; by all which references under this (5th) head, the conduct of the Presbytery and Clerk, are proven to be foresecn and provided for, as treated by this body. See also Chap. IV. Sec. 10, 13, and 15 of Discipline.

3. Upon the refusal of the Presbytery and Clerk to send the records in the orderly way, or to furnish the appellant with a copy on application, it was the part of the appellant, not of Synod to decline the trial. Any defeet of regular proof would tend directly, to his defeat, and possible condemnation.—(See chap. sec. 7 Discipline, and chap. vii. sec. 3. sub. section 14.) Besides, the principles of *additional proof*, are settled in Chap. ix. Discipline, *passim*. And in chap. vii. sec. 1. sub. sec. 1, 3, and 15, of Discipline the principles are clearly laid down how this body should in cases of imperfect, or fraudulent records, or the total absence of all records, get at the truth of the case. And further, it is well settled that in the absence of the best proof, even admitting that case to be ours, that which is next best shall be admitted. Especially when this Synod and the appellant used every proper means to obtain the supposed better proof, which is suppressed contumaciously by the co-Presbyters of the appellee, not only without regular complaint, but according to his own statements to the Synod, without any disproval by him of the principles, or the particular act, of that Presbytery.

4. When the appellee put in his plea to the jurisdiction of this Synod, and that plea was overruled, he ought regularly to have submitted and tried the appeal. And by so doing would have retained not only the right of appeal, which by refusal to submit to trial he has lost (chap. vii. sec. 3. sub. sec. 2, Discipline;) but after the conclusion of the trial here, might have appealed from the whole, or any part of the doings of Synod in the case: (chap. vii. sec. 3. sub. sec, 4 Discipline.) That the refusal of the Appellee to proceed with the case, should not have arrested the cause is apparent; first because the Appellant proceeded at his peril, and had a right to insist on proceeding: secondly, the Appellee was safe undefended, unless the Appellant could fairly make out his cause, which the Appellee and the court below, declared he could not do, without the record suppressed by that court; thirdly, this conduct of the Appellee was highly contumacious, and he could have no right to take advantage of his own wrong; and lastly, the case is fully provided for, and the principles on which our ecclesiastical courts shall proceed, in the contumacious, or voluntary absence of parties, laid down in our standards, (see chap. vii. sec. 3. and sub. sec. 3 and 4 Discipline, for the real grounds of appeals; and same chapter and section and sub. section 15, for the real effect of appeals; and as to refusal of parties, chap. iv. sec. 10, 11, 13, Discipline.)

5. That this Synod has full power and authority finally to determine this case is manifest. The powers of a Presbytery as compared with the powers of a Synod, and the duties of each will appear by comparing chapter x. sec. 8, with chapter xi. sec. 1 and 4, of the Form of Government. The duties of

this Synod as to appeals, are to *receive and issue them*, (chap. xi. sec. 4, Form of Government.) What is meant by issuing is obvious from the last clause of chap. vii. sec. 3, sub. sec. 15, Discipline. That the authority of Synod covers the whole case, is apparent from chap. vii. sec. 3, sub. 10, and chap. iv. sec. 17, Discipline: Therefore,

Resolved, 1. That in view of the proof presented to the Synod, and the whole case, the decision of the (Assembly's) 2d Presbytery of Philadelphia, in the case of the charges of the said Geo. Junkin against the said Albert Barnes, be and the same hereby is *reversed*, as contrary to truth and righteousness, and the appeal declared to be sustained.

2. That some of the errors alleged in the charges to be held by the said Albert Barnes are fundamental; and all of them contrary to the standards of the Presbyterian church, in the United States; and that they do contravene the system of truth therein taught, and set forth in the word of God.

3. That the said Albert Barnes be, and he hereby is, suspended from the exercise of all the functions proper to the gospel ministry, until he shall retract the errors hereby condemned, and give satisfactory evidence of repentance."

Dr. Cuyler reminded the Synod that it was now past 10 o'clock, and that the families in which they were guests would suffer inconvenience. He therefore moved an adjournment, but withdrew the motion, at the request of

Dr. J. Breckinridge, who observed, that in some of the leading points of the paper which had been presented, he was not prepared to concur. He could not go the whole length of the measure there proposed. He therefore moved the following as a substitute for the last resolution proposed:

Resolved, However, from a desire to avoid even the *appearance* of *injustice or rashness*, on the part of this Synod, that in this state of the business we refer it to the next General Assembly, to decide what judgment shall be rendered in this case; and respectfully petition them to pass such sentence as they may deem most conducive to the glory of God, and the purity and peace of the church.

Mr. Winchester quoted the following from the book of discipline:

"A reference is a judicial representation made by an inferior judicatory to a superior of a case *not yet decided*; which representation ought always to be in writing."

and argued, that inasmuch as the Synod had decided on the merits of the present case, it was too late to propose a reference, and the resolution was therefore not in order.

The Moderator said he wished time to make up his decision on so important a point.

And therefore the Synod adjourned till half past eight to-morrow morning.

Closed with prayer.

Wednesday morning, half past 8.—Met and opened with prayer.

The minutes of yesterday having been read and corrected, and the question being whether the substitute moved by Dr. Breckinridge last evening to the report of the committee appointed to draw up a minute in the case of Mr. Barnes, was or was not in order: the substitute was read.

The Moderator delivered it as his opinion, after a deliberate examination of the question during the recess, that the reference was not in order. The constitution confined that procedure called a reference to cases "not yet decided," but he conceived that the present case was decided, All the previous steps had been taken as decided by the Book of Discipline, and the final vote of the Synod had been given and recorded. All that remained, was, to give the final award; but a reference implied that the whole case, *ab initio*, was to be gone over by the Assembly; but he conceived that the Assembly could not give an award, unless it should take up the whole case as an appeal: and therefore a reference must be out of order. He delivered this opinion, however, with great deference to the House. He felt entirely impartial in the matter, and should greatly prefer that the House should decide the point themselves.

Dr. Mc Dowell. Is there no way to discuss this? If an appeal is taken from the decision of the chair all debate will be precluded, yet this is the very vital point of the whole proceeding. It is the most important question we have had before us.

Dr. Cathcart. The case is decided only in part. The appeal indeed has been sustained, but there is no final declaration as to what censure shall be inflicted. The case therefore is not decided and will not be until we have pronounced a sentence on Mr. Barnes. The Synod may pardon him, rebuke him, suspend him, or depose him, and it has not decided which it will do.

The Moderator said that the debate could not proceed.

Dr. Cuyler moved a suspension of the rule in order that it might proceed.

Dr. Neill. Were it not for the profound respect I feel for your decision as Moderator, and the affection I entertain for you personally I would take an appeal.

The Moderator said he should consider it as not the slightest mark of disrespect, and should indeed be glad if such a step were taken, but the brethren must remember that an appeal precluded all debate.

Dr. J. Breckinridge. Did you pronounce an official decision or merely express an opinion?

Moderator. I gave my judgment as Moderator.

Dr. J. Breckinridge. If you decided *ex officio* I cannot but think you assumed too great a responsi-

bility. There is one peculiarity in the case. The ground taken in that paper is, that Mr. Barnes is precluded from an appeal, and if we are to be precluded from all debate on the propriety of a reference how very peculiar indeed will the state of things appear. The mouths of all must be shut up who do not agree in the course already adopted.

Mr. Winchester. To afford an opportunity for discussion, I will move that the Synod declare a reference of this case in the present stage of it to the General Assembly to be out of order.

Dr. Cathcart. If I should now be met by a stranger and he should ask me "Have you decided the case of Mr. Barnes?" I should say "no." If he should then ask "Have you done nothing in the case?" I should reply "yes we have sustained the appeal." "Then the case is not finally decided?" "No, it is not." With all due deference to the Moderator's opinion I think that that would be telling the man the truth and unless I am very stupid indeed, I think I ought to know as much about the matter as the Moderator.

Mr. R. Breckinridge. I want such a mode of proceeding adopted as shall be fair to all parties. I consider it disorderly to move to amend the third in a series of resolutions before the first and second have been considered and the third is reached in due order. The regular course would be to take up the first resolution proposed by the report, and adopt or reject it, then to take up the second and dispose of it in like manner; and when we get to the third then the mover of the substitute may propose to strike out the third resolution and insert the substitute in the place of it. The house will then decide whether to strike it out or not. If they agree to strike it out, the whole question is then open and any other course may be proposed. I consider it as due to all that we have discussed and decided, and due to candor and to order that the present motion should not pass. It jumps to a conclusion and shuts out all the discussion which ought to precede it. Even if the Moderator were against this course I feel assured he would waive his opinions out of deference to the magnitude of the subject.

Dr. Green. The Synod has been brought into confusion by the haste with which it acted last night. It was disorderly to admit of two distinct propositions before the House at the same time. The second should not have been introduced without a motion to postpone the first. If Dr. Breckinridge wished to introduce his substitute, the proper question was on a motion to postpone; but the proposition which has now been made clears the whole ground. All the members have now the perfect liberty to speak as

much as they want. I am confident there is no man here who wishes to confine them to a dry aye or no.

Mr. Winchester. Certainly it was in order to receive a motion to amend the report; but if it is desired that a division of the question be called for, and that the report be taken up by paragraphs, I am ready to withdraw my motion.

Dr. J. Breckinridge. I am willing that that course should be adopted. If an ingenuous, free, and open discussion is to be allowed us, I hail it with joy; but I have no idea of being brow-beaten. When it comes to the result, many of us will probably have to part, especially if more courtesy is not observed, than has sometimes been exhibited.

Moderator. The Chair has observed no symptom of brow-beating.

Dr. J. Breckinridge. I do not speak of you. I could, if it were proper, pay a just compliment to the mode in which you have presided over this body, but I am fully aware that both in the house and out of it my course has been blamed in no very measured terms by some of those with whom I have hitherto acted; while it is no less censured and opposed by brethren on the other side. We were never in such a position since we first entered on this dark and melancholy affair. I merely threw in an amendment to the report in order to present to the Synod an alternative between two courses. I can see nothing uncandid or disorderly in such a step.

Moderator. The motion is to take up the report by paragraphs. The Chair hopes that no evil will be anticipated, or at least that no such anticipations will be expressed. He pledges himself to exert his authority to prevent any interruption to brethren speaking, although it may not be in his power to prevent every outward sign of impatience.

Mr. Robert Breckinridge. When I said that I was willing, if an orderly course was pursued, that the brethren should have a full hearing, I did not intend to be understood that I was willing to sit here for a week listening to speeches, which those that made them could not themselves expect would produce the least alteration whatever in the result.

Moderator. Whatever is orderly shall be permitted and sustained.

Mr. Winchester now withdrew his motion, declaring a reference to be out of order, and the question then recurring on the adoption of the report of a minute in the case of Mr. Barnes,

Mr. Winchester called for a division of the question.

Moderator. Shall the paper be taken up by paragraphs?

Dr. Cuyler. I move that Synod now consider

the resolutions proposed at the close of the report, and that those resolutions be taken up in order.

This motion was agreed to, and the question then coming up on the first resolution proposed by the committee, it was read as follows: [See it above.]

Mr. McKnight. A question has presented itself to my mind whether there is not a step that should be taken before we vote on this report. In all criminal courts, when the court has heard the evidence and the jury has brought in a verdict of guilty, the question is put to the criminal, "Have you any reason to show why sentence of the law should not now be pronounced against you?" This report proposes a sentence, and it appears proper that that question should first be put to Mr. Barnes.

Mr. R. Breckinridge. That will be proper after we have decided upon the sentence.

Mr. M'Knight. I presume that this is the proper time.

Moderator. This is not the proper stage of the proceeding for such a question. The present motion does not go to the adoption of any sentence.

Mr. M'Knight. If you adopt the last resolution, do you not pass judgment? Do you not, *ipso facto*, declare that Mr. Barnes is suspended from the exercise of his ministry from the moment that resolution is adopted?

Moderator. Yes.

Mr. M'Knight. Then I move to suspend the farther consideration of the report in order that the question may be proposed to Mr. Barnes whether he has any cause to show why judgment should not be pronounced against him.

Dr. M'Dowell. I second that motion.

Moderator. The motion is not in order at this time. It will be when the question shall come up on the second resolution. The present resolution is substantially nothing more than what was decided yesterday.

Mr. M'Knight. Is it not in order to move to suspend the consideration of a resolution on a debate with a view to take up another?

Moderator. It is generally in order, but in this stage of the proceedings the motion will not be in order.

Dr. M'Dowell. I am deeply grieved that no opportunity is ever given for a word to be spoken by those who are in favor Mr. Barnes.

Moderator. Dr. M'Dowell has made an improper remark, and one which amounts to an impeachment of the integrity of the Moderator.

Dr. Neill. Mr. McKnight and Dr. McDowell do not see this matter as I do. The course the Synod is now pursuing, will give to every member the full-

est opportunity he can desire of expressing his views. It is understood and generally agreed, that when we arrive at the third resolution, the opportunity desired for Mr. Barnes by Mr. McKnight will be fully accorded to him. This is the understanding all over the house.

The first resolution proposed by the committee was now read again, and the question being put, the resolution was agreed to.

The second resolution was then read. [See it above.]

Dr. Cathcart. I do not believe that. It is said that all the charges have been sustained. I believe that many have been sustained; but one of the grounds expressly taken against sustaining the appeal was, that a portion of the charges had not been sustained; and one brother asked whether the vote to sustain was to be understood as implying a conviction that all the charges had been proved; but when he went on and attempted to explain how far he considered them as proved, it happened as it has in all other cases in this affair. We were put down. [Cries of order.] I speak history. I don't think that this resolution can constitutionally be acted upon, for in all criminal cases it is proper and requisite where there are distinct charges, that the charges be taken up in detail and a vote given on each. Some of the charges I presume we should all sustain. I would sustain some of them myself, but the chair told us that we must vote to sustain or not sustain the whole; we must swallow all or nothing. Now I cannot adopt this resolution unless the word whole be stricken out. When you say that the proof sustains the charges, the sense is that it sustains all the charges, and I don't believe that it does.

Mr. Musgrave. I move to strike out the word "fundamental" before "errors," and substitute the words "great and dangerous." My reason for the motion is a desire that we may, as far as possible, move together. It is important in my view that whatever we decide upon should pass by as large a majority as practicable. I do conscientiously believe that many of the errors in Mr. Barnes' book are great and dangerous, and I am prepared to say so. My motion arises from no fickleness on my part. I examined the book before I came from home, and while I believe that it does contain great and dangerous errors in doctrine, I am not ready to pronounce them fundamental, although I apprehend that some of the opinions he holds would naturally lead to errors that are fundamental. But the assembly has declared that we are not to convict a man of heresy on mere inferences of our own. Now, if you leave the word fundamental in the resolution you will com-

pel some of us to vote against it. I am perfectly frank in the matter, and ready without disguise to give my reasons in full. I do not consider that in the present state of the case the sentence proposed is just. If I did believe his errors to be fundamental I should say without hesitation, "Let him be suspended." I would not, in that case allow him to preach for a single day. I wish to be consistent in my course, and according to my judgment in the case, I think I am. All who are opposed to the sentence of suspension must, if consistent, wish the word "fundamental" expunged. If you diminish your majority and increase your minority the moral effect of your sentence will, of course, be so far impaired, and by retaining this word you will throw into the minority men whose soundness in the faith cannot be questioned, and if these men are compelled to leave you, just so far as they have influence they will prejudice your cause.

Dr. M'Dowell. I agree in sentiment with the brother who has just taken his seat. If I could believe that all the charges against Mr. Barnes had been substantiated, and that the accused had had a fair opportunity for trial, I might agree to the resolution. I do believe that he holds errors which are great and dangerous. But while I admit that some of his sentiments, if carried out to their legitimate consequences, would lead to fundamental error, yet I cannot say that he does hold errors which are fundamental. I have long been acquainted with Mr. Barnes. I have acted with him in Presbytery ever since he was ordained. I have been with him constantly and have met him repeatedly in social meetings, and I assert it as my belief that he holds as fully as any man in this house the doctrine of the entire depravity of human nature.

Mr. R. Breckinridge. I call Dr. M'Dowell to order. We are not now called to say what Mr. Barnes is, but whether the charges against him have been sustained.

Mr. Musgrave. Was it not said that while a man might not be able to say Mr. Barnes held heretical opinions, yet if he believed that his opinions were contrary to the confession of faith, he might intelligently vote to sustain the appeal? And are we now to be caught in this way, and to be told because we voted to sustain that therefore we must say he is guilty of heresy?

Moderator. The chair thinks Dr. M'Dowell is in order, though it will not be in order now to enter fully into the merits of Mr. Barnes' opinions.

Mr. R. Breckinridge. Will Dr. M'Dowell, as a favor, allow me to proceed a moment?

Dr. M'Dowell. Certainly.

Mr. R. Breckinridge. If the word charges were stricken out and the word appeal put in, the difficulty of some brethren would be removed; it is the appeal only that is to be sustained. I understand the first resolution relates exclusively to the appeal and to the sustaining of the appeal. The second resolution has reference only to the alleged errors and not to the errors proven, and certainly the alleged errors are fundamental.

Dr. M'Dowell. I can vote with a good conscience that Mr. Barnes is guilty of holding great and dangerous errors, but not that he holds fundamental errors. I believe that he holds to the doctrine of total depravity as fully and as firmly as any man in this house, and that he believes this depravity to be derived from our connection with Adam. I believe that he holds that there is no salvation for a sinner but through Jesus Christ, and that he is saved solely on he ground of the merits of Christ, and that he betomes interested in these merits exclusively by faith. And I believe farther that he holds to the absolute necessity of the influences of the Holy Spirit to convert and sanctify the soul. I have long known that he differed from me in his mode of explaining some of these points, but I am satisfied that on the great fundamental doctrines of our religion he preaches in this way. I stand before the public in the expression of this opinion, and I shall act accordingly.

Mr. Musgrave. I am satisfied with the explanations given by the brother over the way, (Mr. R. Breckinridge,) and I withdraw my motion for striking out.

The question was now put on the second resolution, and it was agreed to.

The third resolution was thereupon read. [See it above.]

Moderator. The proposition of Dr. Breckenridge will now come in by precedence.

Dr. Laurie. I do not entirely concur in that resolution, although, as chairman of the committee, I reported it. I have some doubts as to the power of the synod to decide definitively in the matter. I have not been able to recollect any precedent for it. My opinion is that the case should be sent down to Presbytery with instructions that should Mr. Barnes refuse to recant his errors, he be by them suspended.

Dr. Cuyler. My opinion differs in this respect. I believe that the clause of our constitution which gives to a synod the right to issue appeals, gives it power to carry out its own decision to the final result. The appeal is not in fact issued until the sentence is pronounced.

Moderator. The motion was for the adoption of the third resolution. Dr. Breckenridge has moved a

substitute, and he is entitled to the floor in support of it, and the question will then be on the adoption of that substitute.

R. Breckinridge. The ground of compromise was that his motion should be on striking out the third resolution.

Dr. J. Breckinridge. So I understood it, and on that motion the constitutionality of the reference of the whole case to the Assembly may be debated.

Moderator. Yes.

The substitute proposed by Dr. Breckinridge was now read.

Moderator. The question is on striking out the third resolution proposed by the committee, and substituting therefor what has now been read.

Mr. Winchester. I move that the reference be declared not in order.

Moderator. That motion is unnecessary, being virtually involved in the other.

Dr. Neill. I am in favor of the substitute. I know that there is a difficulty in the minds of some of the brethren arising from the words of our Book of Discipline, which declare that a reference can only take place when a case has "not yet been decided:" but with me this is no difficulty at all, because I consider this as a case not yet decided. The appeal, indeed, has been sustained: but is the case therefore decided? You have reversed the sentence of the Presbytery: but where does Mr. Barnes now stand? You find and declare that his book contains dangerous errors: it is of course your duty to say what censure he shall receive: this you have not done. That would decide the case: but until that is done the case is not decided. If we are asked, What sentence have you passed on a man who holds and promulgates such dangerous errors? we must answer, none. But, in the second place, this is precisely the time when the reference should take place, if at all. You have said his book contains errors but have not yet assigned his punishment: and you know that the case will, in any event, certainly go to the assembly at last: you will then lose nothing by referring it. 3. Your book provides that, "in cases of reference, the members of the inferior judicatory making it retain all the privileges of deliberating and voting, in the course of trial and judgment before the superior judicatory, which they would have had if no reference had been made." All your delegates will have the same right to vote in the assembly as other members on the floor, because it is a reference and not an appeal. But if an appeal be made, you are then deprived of a vote. Such is my understanding of the matter. 4. It appears to me that by giving the case this direction you will avoid all appearance of evil;

you will avoid the charge of precipitancy. The public, remember, will not understand our technical difficulties. They will look only at the general facts. These difficulties may have been improperly thrown in our way: I am not called to decide that point: but if you stop and refer, it is my impression that you will have the christian public in your support. For this reason I am most sincerely and earnestly in favor of the substitute. I view it as the safe, the righteous, and the christian course: and if we adopt it I think that we shall feel that we have done to another what, in like circumstances, we should wish to have been done to ourselves.

Mr. W. Latta. I think it is high time that this Synod should take a firm position. This vexatious controversy has agitated us long enough. It is now five or six years since it has been upon us like an incubus, producing a complete paralysis of all good within our bounds. To me it does seem strange, after all the lessons of our past experience, to find still lingering in the midst of us such a spirit of procrastination and compromise. This, in fact, is the very root of the evil; but for this spirit, all that has so long agitated us and destroyed our peace, would have been avoided. I am not at all surprised at the sympathy manifested by some for the accused. They no doubt have a near sympathy not only with the man, but with his errors. If I believe Mr. Barnes to hold such errors as are charged upon him, I ought to be ready to unite in his condemnation. Surely a man must be more than blind if the present trial does not convince him that he does hold them. But while I am not at all surprised at the course of some among us, I am not only surprised, but perfectly amazed at the course pursued by others of my brethren,—brethren who profess to believe the truth of the charges, yet have not the firmness to act out their belief,—brethren who acknowledge that there is a gangrene in the body, yet would rather allow it to spread its roots in every direction, than take the scalpelle and cut it out. They confess that Mr. Barnes holds errors fundamentally dangerous, and calculated to destroy the souls of men; yet while his book is daily spreading, and souls are in consequence exposed to all the miseries of the second death, they have no sympathy but for the man who, with his own hands, has mingled for them the deadly potion. It is acknowledged that Christ has been deeply wounded in his members, yet they will not allow us to put forth our hand and bind up his bleeding wounds. In vain his voice cries in our ears: "O all ye that pass by, was ever sorrow like unto my sorrow!" All their sympathy is reserved for the very man who inflicted his wounds, and still perseveres in inflicting new. I would earnestly

beseech such brethren to beware lest they wound Christ in the house of his friends. I would say to them, beware how you produce division in our ranks at such a crisis. The crisis is momentous; the world is looking upon us, the church is looking upon us, angels are looking upon us. Could all the church of God in this land be here present, and behold such a phalanx as was here exhibited, one hundred and forty-three devoted men baring their breasts to all the shafts which earth and hell can direct against them; while on the other hand stand thirty-two men, I will not say cowering behind their shields, the sight would operate with such a power as none could resist. Poor, weeping, drooping Zion, would soon lift up her head; gladly would she cast off her sackcloth, and speedily should we behold her looking forth "fair as the moon, clear as the sun, and to all the enemies of truth, terrible as an army with banners.

Dr. J. BRECKINRIDGE. I assure my brethren that in addition to the intense solemnity inseparable from an occasion like this, I feel at this moment agitated by feelings of a peculiar nature. I shall need your patience, your kindness, and I may need your pardon, on account of the peculiar position into which I am thrown by the very serious implications contained in the remarks of the father who has just taken his seat. I am sensible that the position in which I stand must be a very unenviable one, before the minds of brethren who think and feel as that father does. The measure I have ventured to propose has been represented (and this must be my apology for speaking with so much honest warmth) as an entering wedge, calculated and intended to split the ranks of the majority in this body. Brethren have gone so far as to lay their hands upon me and to say, you are dividing the orthodox party in the Presbyterian church, by offering that resolution. It is a serious charge, and if in remarking upon it, I should inadvertently trench upon the strict rules of order, you will, I am sure, concide something to the weakness of man. Indeed, I had rather, in view of any little influence I may exert, be out of the Synod: nay, I had rather be out of the church, and out of the world, (for it is not very important that I should live) than be justly liable to such an accusation. Yet, when "such an one as Paul the aged' speaks, I 'rise up before the hoary head.' But while an accusation of this kind is preferred on the one side, were I not known here as well as I am, you would hear, and in tones loud enough, on the other side the appeal against my violence in behalf of orthodoxy. That cry has often enough been raised against me, yet here I stand accused of splitting the ranks of the orthodox, and of throwing myself as an interposing obstacle between that body of men, and

that last act which would seal the safety of the church. Here then is the crisis of our proceeding; here is the last point at which those who would resist the course which has been resolved upon by some, must rally and make a stand—for I fully expect that after this meeting, you will no more be allowed to speak freely. For the last ten or fifteen years, indeed ever since I have been a member of this body, I have taken my stand just where I now do. I shall act now as I ever endeavored to act, yet I do not expect to do so without many reproaches on all sides. The position of the Presbyterian church within the last fifteen years, and more especially during the last five of these, has been peculiar in many respects. She has had among her divines two different classes of men, both claiming to be esteemed the Orthodox. One of these has been located at Princeton, the other at Philadelphia, and the result has been that in consequence of this want of harmony between her leading members, a very small minority has in effect ruled the Presbyterian Church. The spectacle has been a curious one; for while one of these two Orthodox parties has ever held up the writings of the other as correct standards in point of principle, they have continually acted against each other on this floor. At the last Assembly these two parties united in one. If that union can be continued we may yet see good days: but if those who are one in principle shall continue as heretofore to differ from, and to oppose each other in action, it must sever the Presbyterian church for this age. It is on the platform of the operations of the last Assembly that I am willing to stand or fall. There are those of my brethren who I hold to be as orthodox as any, but whose course of policy is in my judgment calculated to throw the two great bodies of the Orthodox asunder; and by setting against each other as antagonist muscles those which ought to be united in one and the same arm, to bring in a minority of less than one third to rule the whole. If I wanted a triumph for Mr. Barnes, I would mount the storm and seek to raise it into a whirlwind. An ill-omened prophet has told us that if Mr. Barnes falls, the Presbyterian church will fall next, and he may alas be found to be a prophet in evil, but too true. I believe for one that if we at a crisis like the present go on to consummate the act proposed, we shall, I will not say fulfil the very wishes of that prophet's heart, but we shall too surely fulfil his prediction. If Mr. Barnes shall be deposed or suspended in the present stage of this trial, and the case in that form, shall come before the General Assembly, depend upon it you will have entered the wedge which is to divide your church. I ask you to coincide something to our weakness, and in so saying,

I identify myself with a large class of men who are said in point of policy to be "upon the fence," but who are far from being so in principle. You must be satisfied that to some extent we do not go with you, yet let me be understood. I do not say to you, do wrong for peace sake; far from it; and certainly I may be permitted to say, that if the course of so humble an individual as myself can prove him to be fearless of consequences in the path of duty, neither Rome with her priesthood, nor unitarianism with her ranks of smooth philosophers can testify aught against me. But I have been slow to contest points with my own brethren, while the church is surrounded and assailed on every side by enemies without. Yet while I do not ask you to do wrong that good may come, I do ask that, there should be in this body as in our last Assembly, a combination of all sound Presbyterians. And if in this measure you cannot carry those with you who should be carried with you in so important a movement, ought you not at least to be willing to pause and to await the last rebound of the subject? You have gained much. Now take advantage of the public sentiment, and wait for the rest. It will meet you before the next Assembly. That body, if I mistake not, will have the same character as the last, only that the tint will probably be a shade stronger. But my reasoning is not to power, it is to the subject, and to the destinies of the church. For myself I doubt the right of this Synod to suspend Mr. Barnes; but admitting the Synod to possess such a right, I ask, is it wise to exercise it? Is it best on the whole? Is it not hazarding too much, to risk a division of the great Presbyterian party, and possibly to give a triumph to a minority? Has not experience proved that you give error its death, by giving it rope to run? You will have to meet the question as before the last assembly, but with this great disadvantage, that you will then meet it with all the evils of a relapse. For one, I believe upon the whole, I should prefer, if the Presbyterian church cannot cohere on the principles of the last assembly, that it should be dissolved, and this without the slightest personality. I do say that if Taylorism cannot be put down, (a party who, from less than a third of the whole, have now triumphed for years because Christian brothers cannot unite with each other in action;) I for one wish to see this church dissolved; I repeat the declaration, I speak it to the whole church, I publish it to all mankind, that if Taylorism cannot be put down in the Presbyterian church, my wish is, that the church should be dissolved. I should prefer even that alternative to having a meagre minority any longer keeping us at perpetual variance. No man, I know can

interpret away the meaning of Mr. Barnes's book, so as to show that he does not hold deep and dangerous errors. Yet I desire to roll the case just as it stands upon the hands of the General Assembly, because I believe such a course, while it is clearly the most politic, to be at same time the most honorable, the most delicate, and altogether the most christian course. But it is not for me to censure your counsels. They have arisen in part from the position into which the contumacy of the Presbytery, and I must add of the Appellee, has thrown the Synod. In regard to Mr. Barnes himself, I would fondly hope, that although he holds great and serious errors, and such as are almost fundamental in their character, he has enough of personal piety to keep his heart right, although his principles are grossly wrong. The The errors of his book, I admit, have been proved, but this has been done in a way with which I am not fully satisfied. The steps required by our constitution have not in my opinion been taken. The accused party has not been here, and has not been heard in his own defence. And although this may be said to be his own fault, yet I do not wish it to go out to the people of America, that we have condemned any individual under such circumstances. There is among the people of this land, such a glowing indignation against whatever touches the rights of man, that they will not stop to inquire into the minute circumstances of the case. They will seize on the result, and say you cast off a man from his office, who had never been heard in his defence. It will be in vain you offer explanations; the cry will only become the deeper and the louder. No matter what was the cause of his absence, he was absent: and though he were dead, and his book lost and sunk in the bottom of the sea, it would make no difference: the public voice will side with any man, in any circumstances, who was condemned unheard. I do not wish to place Mr. Barnes on this ground. Whatever be his demerits, I would have him treated with patience, with mercy, with even gratuitous generosity.

And now, as to the question of the right of the Synod to punish the accused, it seems to me that all precedent is against its doing any thing directly, with its own hand. If you will do any thing in the matter, you will surely take care to have a precedent to support you. But there is no precedent to support you. Our fathers surely understood the constitution they framed, and their understanding was that in a case like this the lower court is to be instructed what to do. That is my view of the matter. If you will not refer the case, you ought to send it down to the Presbytery, with or without definitive instructions, and if censure is to be inflicted let it be

inflicted by them. You have gained important ground: stop there. I am anxious the Synod should go no farther. You obtained, by the weighty sentence of yesterday, all the influence for truth which you can gain if you advance; and I now seek that moral influence which will arise from mildness, and mercy, and voluntary delay. I would have you pay devoutest homage even to the shadow of justice.

There is another point you ought to look at. It has been said that Mr. Barnes has no right to appeal, inasmuch as he has refused to submit to a trial. I believe this position to be sound. But I would have the Synod, without yielding that ground, still act with a heavenly-minded magnanimity, and say to the man at its bar, 'Though we have done no more than our duty, and though you by your refractory course have forfeited the right of appeal, and though we might now proceed to judgment, yet we will spare the last act, that we may give you that which you have lost: we will still give you a REFERENCE though you have lost your *appeal*. We will waive the right we hold, and will meet you before the great Sanhedrien of the church, and there let the case be fully heard. By such a course you will lose nothing. Then if there is any error it will lean to money's side, it will savor of generosity, and never can injure you. I have with great candor, and with what some have considered great and intemperate violence, expressed my unqualified disapprobation of the method adopted by the Presbytery and by Mr. Barnes to avoid a trial: and I have declared, with equal fearlessness, my attachment to the great principles held by the Orthodox party in the Presbyterian church. I have acquitted my conscience. I will no longer stand between that party and their object, or what has infamously been denominated "their prey." It is not I who have said, that every hours delay is pain and torture to their unglutted vengeance. For myself, I do not wonder that their patience and longanimity are almost worn out. I know well that the stand they have taken is by them believed before God to be the duty they owe to the Savior's bleeding wounds: and I believe farther that in this as on former occasions, it is the Laity who by their firmness and intelligence will save the church. They have done it before: they will do it again. I could deal easier with the elders than with the preachers. Blackened as they may be by reproaches it is they and the holy mothers in Israel (first at the sepulchre last at the cross!) that are the staff and the stay of our drooping and endangered Leon. But I feel that I stand between you and your object. Placed between men alike inexorable, I am doomed to receive

stripes from both sides. I know it has been said by one side that I am "as hot as pepper," for Orthodoxy. I would remind the authors of that remark that pepper though it may excite burning heat in other substances, is itself quite cool. But while I please not these men, I am as little acceptable to our ultra brethren on the Orthodox side. By these I am denominated "a middle man." I have had my right foot shaken by one party, and my left foot shaken by the other party, while both parties cry in my ears, "come off the fence!" But I reply to both, in the words of the motto of the Education Society, a motto adopted to declare its eternal devotion to the principles of Presbyterianism but not to the dogmas of either party, "NEC DEXTRORSUM, NEC SINISTRORSUM." This is the motto which faithfully followed will guide the fair and goodly vessel of the church safe between Scylla and Charybdis. Good brother [he was understood to refer to Mr. Mc Calla] with whom I cannot always act, though I can and always shall love him, knows very well that I do not fear difficulty. He remembers that I stood by him when our very lives were threatened for months together, and when damnation was openly thundered at us from the galleries of his own church. He well knows it is not from fear that I am acting. He knows the lesson that was taught us on our mothers' lap. The day that he and I begin to fear anything in the honest discharge of our duty, on that day will our mothers first be ashamed of the offspring they bore, and we shall both be deservedly expatriated as unworthy to be called sons of Kentucky. Let me not, then, be charged with flinching. Some say I fear to meet the results of my own principles. I do not fear them. I fear lest an injury be done to the beloved ship in which my all is embarked. I do fear the next step in this proceeding, the step you are now about to take. Not because I fear Mr. Barnes, or Mr. Barnes's people. No: but I fear to take Uzzah's part: I do fear lest we offend Uzzah's God. Mr. Barnes and his people, or any other minister or church, is of little consequence in comparison with the triumph of the Presbyterian Church, in comparison with the victory of truth and order. And on your next step, at least in my judgment, hangs the destiny of both. For we have now got to a spot whence the echo of our deeds will roll like blended music and thunder through the land. In this crisis my voice shall be lifted for Peace. Bestow something on our weakness. Concede something at least to our doubts. They are honest. They are conscientious. Let us trust the next General Assembly. If that body shall not decide that there is error and more dangerous error in this book, then

my best prayer for it shall be "May it never never meet again!" Yes: if that shall be its decision let it be dissolved into its elements, and while out of its scattered fragments the gold and silver and precious stones shall be gathered into one heap, let the wood and hay and stubble be gathered into another. If the Assembly shall take your ground, we shall be safe: but if not, I repeat the prayer "May it never no never, meet again!"

Mr. R. KENNEDY. I have not yet either spoken or voted on this subject: and my reasons are these. I knew before we began that there would be more speakers than edification: but beside this I was absent during the delivery of a part of Dr. Junkin's argument. But in our present circumstances I deem it my duty to give my opinion with great frankness and simplicity. I think we are in danger of doing something very wrong—something that is likely to do great harm. and I feel that we ought to examine carefully the ground we are going to tread upon before we take the first step. All men judge more correctly in temporal than in spiritual matters. Although I pretend to know nothing of law, yet it seems to me a case in which we may all form without difficulty a correct judgment. Our difficulties result from the consequences of the appeal. In civil matters, as we all know, there are courts of appeal to which the sentence of lower courts may be brought for revision. In one of these lower courts a man, we will suppose, is arraigned under an indictment for theft, and after a trial before a jury of his peers he is unanimously acquitted. But suppose that in consequence of some error in the proceedings the case is brought before a higher court by appeal, and the sentence is there reversed. What is the effect of such reversal? To convict the man of theft? Would this infamous crime be fixed upon a citizen once declared innocent, without a new hearing before his peers? Especially if some of the members of the court of appeal expressed a decided conviction that he was guiltless of the crime? and others doubted the grounds of the appeal? Surely not. All the power of the court of appeal would only extend to the remanding of the cause to the inferior court with directions to correct the record, and to get all the new light possible, and after a new decision to bring it up again. In civil matters there is always a leaning to the side of the accused, especially in cases of appeal. Our revolutionary fathers who fought for the establishment of our liberties inserted in the constitution a clause declaring that no man's life or limb should twice be put in jeopardy on the same accusation, If an appeal must be met, it must at least be so conducted as not to put the accused twice in jeopardy. So the effect of an

appeal is only to get the case referred back to the lower court. This principle is recognized and established in matters ecclesiastical as well as civil. Surely there ought to be in church courts at least as much mercy and as great a regard to the rights of man as in courts of law. It appears to me that our whole constitution, on the subject of appeals, proceeds on this principle, that no man who has been tried and acquitted of a crime can by appeal have his acquittal so reversed that he shall be pronounced guilty without a new trial. On that principle I think that the case before Synod should either be referred back to the Presbytery or referred onward to the General Assembly. In the 1st section of the chapter on appeals it is said "An appeal is the removal of a cause already decided, from an inferior to a superior judicatory, by *a party* aggrieved." In all criminal cases there is but one party. In civil cases there are two or more: and as either of them may be aggrieved, either has the right to appeal. In some cases civil and criminal matters may be mixed, and in that case all parties ought to have a right of appeal. But in a case purely criminal, there is and can be but one party before the court. In the English courts the cause runs in the name of the king—in this country in the name of the commonwealth or the people—in church courts in the name of the head of the church. The states attorney who conducts the cause is not a party to the cause: he is only the channel or instrument through or by which the king is supposed to act. In this matter Dr. Junkin was not a party, and should not have been treated as such. He was merely the prosecutor in behalf of the Lord Jesus Christ. He was not the "party aggrieved." He was no more aggrieved than any other minister in the church. Had he been personally censured or slandered, then he would have been legitimately a party in the case: but nothing like this is pretended. He was the prosecutor, but he was no party. I repeat, in conclusion, that no accused party, on an appeal, can be condemned for a crime of which he was acquitted in the court below. The appellant court has no power to condemn him. The present case can either be referred to the Assembly, or remanded to the Presbytery of which, in the final arrangement of the Presbyteries, Mr. Barnes shall be a member. I have no doubt a Presbytery can be constituted in which the Synod may place implicit confidence. If the publication of Mr. Barnes' book shall be suspended we shall have accomplished the end of this whole proceeding, viz. the reformation of the accused: but if he proceeds still to publish errors, without any correction or recantation, the Presbytery can lay their hands upon

him. If he shall essentially change his sentiments, the Presbytery can be directed to receive and restore him.

Mr. Mc Calla obtained the floor, but yielded it to Dr. Green who said he wished to offer a few remarks chiefly in reference to what had fallen from Dr. Breckenridge. And I freely confess that I dread a question of reference as a burnt child dreads the fire. This very case, substantially, has once before been referred to the Assembly; and what did that body do with it? I am to speak respectfully of the highest judicatory of the church, but I have a right to say that as to alleviation of the grievance there was none. The award of the Assembly was a perfect nullity: and the whole history of this business from that day to this has been a history of confusion, and all in consequence of that decree. That very act has been the root of all the evils in our Zion. Although I feel confident that the next Assembly will be of a very different complexion from that which passed this decree, still, I never will consent to a reference in a matter that I can decide. This is true Presbyterianism: to do all our duty, and then to let the aggrieved party go up by appeal and have our act revised. But we are getting into the habit of throwing all matters of any moment into the Assembly. Some of these referred cases have very properly been remanded. I never will consent to a reference until the inferior court has done its business. It has been said that our church is divided and governed by a minority. But let it be remembered that when we wished to go forward and take a decided step we could not get our brethren to go with us. Princeton opposed us. But, without their support, and against their judgment, we went forward, a little Spartan band, and you have seen the result. I said to the Princeton gentlemen, "We will do you good against your will." And they have seen it, since. I had to oppose them: I did oppose them: and I shall oppose them again. Yes: it is true, that a third party among us did unite with them, and we had to oppose both. Now they rejoice in it: I know they do: and I hope the result will prove to them an instructive lesson. It has been said that Mr. Barnes has not had a hearing. And suppose he should not choose ever to be heard, are we never to come to a decision? Suppose he shall refuse to speak before the Assembly, are the Assembly never to decide? He has had every opportunity to speak, and if he chooses to remain silent, he must take his own course. It is said there are no precedents for a censure by the Synod; and that the case must be sent down to Presbytery. I hope not. The Synod has clearly a right to *issue* the appeal: and they ought

to perform their duty. It is said they have performed it, and yet the whole ground is to be gone over again! I did find one precedent. A man by the name of Cruikshanks was condemned by a Synod, and his case was carried up to the General Assembly: and though the Assembly did remand the case, yet they did not condemn the Synod for acting on it. This case will be found in the minutes of the Assembly in 1824 or perhaps 1827. Then there is the case of Mr. Craighead, but I will not now go into that. On the whole, I hold it our duty to decide the case which has been referred to us; and not to refer or remand it.

Mr. Mc Calla. If I heard aright there was some reference made to a decision of the Synod of Kentucky in the case of Mr. Craighead. I should be glad if those who deny the power of the Synod to suspend a minister would prove it from that case.

Dr. Blythe. The minutes of the General Assembly for the year 1824 will shew what was done in Craighead's affair.

Mr. R. Breckenridge. Whatever may have been the ultimate decision, the Assembly did ultimately restore Mr. Craighead without any appeal or reference. He was a distant relative of mine.

Dr. Cathcart. The case was sent down to the Presbytery for reconsideration; but before anything farther was done he died.

Mr. R. Breckinridge. He certainly did preach after he was restored; for I heard him with my own ears, after Dr. Cathcart says he was dead. [much laughter.]

[Dr. Green and Dr. Blythe here read extracts from the minutes of the Assembly touching Mr. Craighead's case.]

Mr. M'Calla. Now see how to reconcile what Dr. Blythe says was done by the Presbytery with what Dr. Green says was done by the Synod. Both are right in saying the Presbytery took up the case and tried it, and referred it to the Synod. Then the Synod did suspend him. They took him up on the ground of a sermon he preached, and suspended him. The assembly did not reverse the sentence till 1824, at which meeting I pleaded the cause of the Synod. It runs in my head that the assembly, while they removed the censure, directed the Presbytery to meet with Mr. Craighead and give him an opportunity of confessing his errors: that the Presbytery did meet accordingly; that Mr. C. did confess his errors; that he was thereupon restored, and then preached before them. There is no discrepancy between the brethren. Now here we have the act of the Synod of Kentucky ratified by the General Assembly. But

I will mention, for the edification of the brethren another act of the Synod of Kentucky. That Synod did suspend twelve young men at once from the christian ministry; men who were regularly ordained; and this because it was satisfied they were not fitted from their want of learned attainments and theological accuracy, for the due exercise of the ministerial office. The last point, however, was not near so certain in their case as in that now before us. Yet they were put out of office by the act of Synod, which was to this amount: "Resolved that A, B, and C, naming them, be no longer considered as ministers in our connexion." In consequence of this they went off and formed themselves into the Cumberland Presbytery and have remained ever since a distinct body. Much has been said on the present occasion about the necessity of our having the records of the Presbytery. There were no Presbyterial records before the Synod of Kentucky; yet the assembly warmly approved what the Synod had done. I speak what I know, for I was myself upon the ground. I witnessed, it is true, an awful struggle. There were two or three who bore the brunt of all the opposition; one was named Blythe and another Cameron, (a good name.) Violent threats were uttered—"We will not be priest-ridden: you are ambitious: you love to have the pre-eminence," &c. But these men bore the cross like good soldiers of Jesus Christ, and kept their ordination vow. They removed the man who was the father of all the errors which are here boasted of as some grand discovery. I have known personally both the new lights of the west and new lights of the east. All that is maintained here was maintained there; and I cannot but contrast the advocates of these same doctrines on the two sides of the mountains. Here they are boasted of as some great ones—men of vast intellectual power: but over there they were mere clodhoppers, backwoodsmen, without beauty or splendor. Now I happen to have the books put forth there and here: and I am willing to exhibit them any where as the best test of the relative strength of the two. And what comparison is there between them? Here they take a text, and then you have a long fine-spun metaphysical disquisition upon it, *vox et preterea nihil*, of which the text at the beginning is the only scriptural thing to be found in the whole matter. But the new lights beyond the mountains fill their books with texts of scripture so cunningly misapplied as to mislead almost any mind, unless previously put upon its guard against the wiles of the devil. It is next to impossible for a plain man to read one of them and not exclaim, "Why this is all bible doctrine." Every new convert was sure to like their books. Here was evi-

dence of genuine talent: but, among us, we give the praise of talent to a man who after giving us one text from the bible, fills up all the rest of his book with nothing but a farrago of metaphysical nonsense. It was not such champions the Kentucky Synod had to encounter. We have been told by a brother, whose affectionate spirit I love, and whose courage I will be the last man to impeach, that some one said he was afraid of consequences. I charge him with no such fear. I know him better: but if we adopt his measure all will say that the Synod were afraid of consequences. The cry every where will be, "There is the Synod who, after they came within one step of the enemy, turned their backs. There are the men who in a preliminary resolution declared the truth, but who in the end were afraid to stand by it: who first declare a man guilty of fundamental errors, and then fear the responsibility of laying a finger upon him." We have been told of dangers from the Romish church: but what did the Romish church do in a case like this? There was a day when she was not so full of blood as she has shewn herself since. In the 12th century just such a book as this was put forth by Abelard, as talented and as *handsome* a man as Mr. Barnes, the celebrated lover of Eloisa. He was then about fifty years old, and was possessed of all the learning of his day. He was attacked by a plain, modest, unpretending man, much such a one as Dr. Junkin, the same who was afterward better known as Saint Bernard, and one of the most eminent of the fathers. He came into a council of the highest splendor and dignity, filled with mitred heads, and not without crowned heads also. Abelard expected to come off in triumph from the attack of so obscure and puny an assailant. Bernard came into the council with nothing but the book of Abelard in his hands. He brought with him no proceedings of a lower court. Abelard objected to be tried on the simple testimony of his book alone: but the court overruled his objection, and thereupon Abelard did just what Mr. Barnes did after him, he left the court. And what did the court decide? It expelled Abelard, great, and eloquent, and beautiful, and wealthy as he was, from the ministerial office. And this was the church of Rome. This she did on the simple naked evidence of a heretical book. We are told that we are to go on, as if the book of Mr. Barnes which the Presbytery had before them was sunk to the bottom of the Susquehannah, but suppose it was, the thirty thousand new copies of it now nearly ready for publication are not sunk. And are we going to say that because the book the Presbytery had before them is not here, that we will allow thirty thousand copies of a book full of gross fundamental error to go abroad through our

churches? I trow not. As a union of parties, we should do our duty and bear the consequences whatever they may be. Suppose we do refer the case to the assembly, we all know that if a measure like this should be proposed here we shall have Princeton opposed to it. Why? Because Princeton has become a remarkably bright star both in literature and theology; and the gentlemen there are like some of the brightest and most talented men in the assembly of divines at Westminster, like Coleman, and Selden, and Lightfoot, who were always opposed to the principle of this resolution. Such men never could be brought up to the point of actual discipline. Their principle was Erastian. They were for never putting a man out of the church unless by the order of the civil authority. They held that it does no good to put men out. But this was no reason why the rest of that assembly should not be Presbyterians, and what was the consequence? When the assembly actually passed their resolutions these men fell into the ranks: so when the little minority in Philadelphia resolved to do their duty they had the Colemans and the Lightfoots to oppose: but they did their duty: but who was it that opposed the adjournment of the Presbytery and denounced the act and testimony and hoisted their flag upon the Jersey shore? Yet the Synod went forward: they did adopt the act and testimony: and what followed? Why the Colemans, and the Seldens, and the Lightfoots fell in and joined us. I remember that declaration of scripture, "Men will praise thee when thou doest well for thyself." Yes: let us do our duty, and Princeton will praise us. But let the churches in this Synod pursue a wavering, halting, fluctuating course, their confidence in us will be gone and our character will be gone with it.

Something was said about a heavenly magnanimity. There is, I know, a considerable degree of this feeling in the brother who commends it to us: but let him remember that men should always be just before they are generous. We have the charge of many churches of Jesus Christ: here is an emergency: a popular minister has broached fundamental error: it is in danger of spreading: at such an hour surely there should be no hesitation among those who love the truth. How can we account for it to God if we leave the churches for six months to come exposed to these errors, while he who broached them is under our protection? The doctrine of justification is the keystone of the reformation. If there is a fundamental doctrine in the bible this certainly is one. Now look at the testimony, and see the advocates of the New Haven Theology sheltering themselves under Mr. Barnes' book, and declaring to the world that

Mr. Barnes rejects the whole doctrine of imputation. And now are we to be told that he holds the doctrine when his own friends maintain, and rejoice to maintain, that he denies it? Is this nothing to show that the doctrine charged upon him is in his book? What! a man work a commentary on the epistle to the Romans, where, if anywhere in the bible, this very doctrine is formally and professedly discussed and established, and yet not say a word about it? How did they hound out an Arian from the Synod of Ulster? A part of the Synod urged that the accused was perfectly silent concerning the doctrine of Christ's divinity, and how could it be pretended that he was guilty of denying it? But William Cook replied that the very fact of his silence was in itself the strongest proof that he denied the doctrine. And he spoke sense and truth in saying so. So here, a total silence touching the doctrine of imputation in a work upon the Romans is the most conclusive proof that can be given that the writer of that book did not believe the doctrine. We need not be told by the New Haven men that he rejects it: his silence is in the place of all arguments to demonstrate the fact. Now if it be true that here is a man clothed with the ministerial office who holds errors as fundamental as this, and that this Synod has the power of suspending him from that office for heresy, why, in the names of truth and duty, let us do it. If there is a brother who cannot go so far, let us bless God that we can; and oh, let us do it. Let us condemn errors like this, find them where we may, and save the churches under our care from so great a desolation.

Mr. Winchester. The question before the House is on the reference of this case to the General Assembly. Two inquiries naturally arise: 1st, as to the right of reference; and 2d, as to its propriety. In order to give the House an opportunity to discuss the question of right, the Moderator declined deciding the point of order, or at least did not insist upon enforcing the decision he had given. Now if we have no right to refer the case, the Assembly will never listen to a proceeding that violates the constitution of the church. And if we do violate it, we cannot take advantage of any difficulties which may grow out of such a course, nor can we remove them. To me it is clear that in the sense of the book, this case has been "decided." To assist the Synod in determining what is meant by a case being "decided," I refer them to the 10th sub section of the chapter on appeals. "The decision may be either to confirm or reverse, in whole, or in part, the decision of the inferior Judicatory: or to remit the cause, for the purpose of amending the record, should it appear to be incorrect or defective; or for a new trial." Here

you see that in order to a case's being decided, it is not necessary that punishment should have been inflicted. That forms no part of the *decision*. The decision is the final vote on the appeal. When a question of appeal comes up, the final vote is the thing called for, "to confirm or reverse, in whole, or in part, the decision of the inferior Judicatory." Have we not done this? Have we not "reversed the decision of the inferior Judicatory?" reversed it "in whole?" If so the case is decided, and we cannot refer it. The question for the decision of the House was simply this: Shall this appeal be sustained or not? Before that question was put, the reference might have been made: for then the case was "not yet decided:" but the vote of last evening sustained the appeal, and reversed the decision of the Presbytery. What punishment shall be inflicted, is quite another question, and it has no connexion with it. This was a case between two parti s: they differed: and the cause came up to us as the appellant court. They gave us the best evidence that could be got: and the question was raised, "sustain or not sustain?" and the vote was to sustain. It has been said if we refer this case in its present stage, the members of Synod will have a vote in the Assembly. Now I call the court to the paper presented by Dr. Breckinridge. It contemplates a new trial before the Assembly, and thus in consequence of some apprehended unfairness in the present proceeding on account of the absence of the Presbyterial book, and he tells us that if we adopt his measure, we shall be entitled to our votes on the floor of the Assembly. Now I would ask every member here present, whether he will not enter that body having prejudged the case on which he is to pass? Have not most of us decided that the appeal shall be sustained? How then can we come into the Assembly and vote there? I confess, for one, that if I were a member of the Assembly I could not do it. I have sat upon the case, and judged it, and my vote has gone forth before the world. Again: when you have decided that a man has been found guilty of holding doctrines like these, what authority have you to forbear laying on him the discipline of the church? If he were a man of weak understanding, it would be a different case. But no such plea can be advanced in behalf of Mr. Barnes. And if you say that such a man shall go on teaching fundamental errors, can you refrain from passing sentence upon him? Suppose a court finds a man guilty of murder, is it left to the discretion of the Judge whether he will pass sentence or not? Surely not. It is the duty of his place. He must do it. Mercy is not with him to exercise: that is the prerogative of the executive. The sentence is a neces-

sary consequence of the conviction. You as judges in this case have declared that the appeal shall be sustained: and that having been decided the law must take its course. The book makes it imperative. "The person found guilty SHALL BE admonished or rebuked, or excluded from church privileges, as the case shall appear to deserve, until he give satisfactory evidence of repentance." (Ch. 4: 17.) Here it is not left to your discretion: it is made obligatory: the sentence "shall be" passed. Suppose the case should go before the Assembly on Reference, and that body after weighing the circumstances should reverse the decision of this House: the question would arise, was that a point presented to them for their action? They cannot do it. They can reverse a judicial decision only in an appeal or complaint. In the chapter of our Book of Discipline on Review and Control, it is expressly declared: "no judicial decision, however, of a Judicatory shall be reversed, unless it be regularly brought up by appeal or complaint." Now is there a man who doubts that our decision last evening was a "judicial decision?" There is none. So it is clear that if we do refer the case to the Assembly, that body can do nothing in the matter. If our decision cannot be reversed, why refer it? Do we want to ask the Assembly whether we shall do that which the Book declares it to be our duty to do?

Dr. CATHCART interposing. That clause refers only to cases coming upon review of church books: it has nothing to do with cases of appeal.

Mr. WINCHESTER. I grant it is found in the chapter on Review and Control: but it extends to cases of Reference as much as to any thing else. It declares that no sentence can be reversed, except it is brought up by appeal or complaint. You cannot refer the case in its present stage, without a violation of the constitution. If it should go up, what will be the consequence? The parties can prove from your book of Discipline that it ought not to be there. Thus you put yourselves completely into their hands; and there you must wait till the next meeting of Synod; and then your duty will still be just what it was, and the same round can be gone over again. And where or when is there to be an end of it? Your duty, your obvious and solemn duty is, to carry out the decision of yesterday by declaring what punishment the convicted party deserves.

It will be remembered that one chief reason urged in favor of the reference has been the contumacy of the Presbytery and of Mr. Barnes, in refusing their records and in refusing to plead: and it has been contended that the testimony is *ex-parte*. The whole question turns on this. If that minute book which

has been withheld is essential to our orderly proceeding, then we can neither refer the case to the Assembly nor send it down to the Presbytery. We must first settle the question whether you have proceeded fairly in the case. Now then let us briefly review the history of this trial. What is the history of this case? It is short, and plain. Dr. Junkin tabled a complaint before Presbytery, against Mr. Barnes, charging him with holding and publishing heretical opinions. The evidence was adduced in support of the charge. And what was this evidence? Mr. Steel here testified before us that there was none other than Mr. Barnes's book. While so much has been said about other evidence, we have testimony under oath, that none other was produced. Dr. Junkin declared, in the outset, that he would do nothing but quote the book. What other evidence do gentlemen want? It has been said that Mr. Barnes quoted Edwards, and Witherspoon, and other authors. But I ask, are the works of Edwards evidence of what Mr. Barnes teaches in his book upon the Romans? Surely not; they were used only in argument. What was the evidence given in before the argument commenced? What, but the simple book of Mr. Barnes? I challenge here, any member of that Presbytery to show what other evidence was brought before them. Dr. Junkin charges errors in this book. You may bring ten thousand other books before the court, and will they prove that the errors charged are not in this book? If I charge you with libelling me in a certain letter, you may bring forward a thousand of your letters which are not libellous; but will they prove that the letter I refer to contains no libel? I want no better proof that a certain thing is not true, than that it cannot be true. No man can work impossibilities. And if it is impossible that Mr. Barnes could, in the way suggested, disprove the errors of his book, then I am sure that he did not so disprove them. But it is said that the evidence produced by Dr. Junkin was not put on record. But was that, which is said to have been adduced by Mr. Barnes put on record? We say that it was not: can they prove that it was? We have taken the best proof which under the circumstances as we can get; we have it under oath: and it has never been pretended that any other evidence was recorded. They talk of "other testimony," but was it recorded testimony? A court of appeal can only look at what is in the record of the court below. Another difficulty is, that the whole record of the proceeding is not here; and Mr. Barnes says, that without this, the trial cannot be constitutionally conducted. Well: the Presbytery was called upon to produce the whole record: they declined doing so, and pleaded to your jurisdiction. Dr. Jun-

kin applied to the stated clerk of the Presbytery to get a copy of the record: the clerk refused it. This is on record: and that record, on an appeal, will go before the Assembly in justification of the Synod. I will now call the attention of Synod to the chapter "concerning clerks." (Form of Government, Chap. 20.) It is there declared that "it shall be the duty of the clerk besides recording the transactions, to preserve the records carefully; and to grant extracts from them, whenever properly required; and such records, under the hand of the clerk, shall be considered as authentic vouchers of the fact which they declare, in any ecclesiastical judicatory, to every part of the church." Here it is made the clerk's duty to grant extracts from the minutes: if he had done so, and authenticated them by his signature, that copy would have been of the same force and validity as the original records themselves. In the 4th Chapter of the Book of Discipline, sec. 16, it is declared "the judgment shall be regularly entered on the records of the Judicatory: and the parties shall be allowed copies of the whole proceedings, at their own expense, if they demand them. And in case of references or appeals, the Judicatory referring or appealed from, shall send authentic copies of the whole process to the higher Judicatory." Here the parties are to be allowed copies not only of the judgment, but of the whole proceedings. Dr. Junkin did demand this: and the clerk of Presbytery violated Dr. Junkin's rights, and his own duty by refusing it. He ought to have been furnished with an authenticated copy of the records of the whole proceeding. When Dr. Junkin demands it, and this House demands it, and a plea is taken to the jurisdiction of the House, there is nothing to support it, but a bald and naked refusal by their own clerk of what it was his duty to furnish, and contumacy in the Presbytery in withholding the book, they ought to have submitted. If conduct like this is to be winked at, then nothing can be easier than to create a bar to the progress of any trial.

I will now look at the plea to our jurisdiction which has been put in. It covers all the Presbyteries constituting the late Synod of Delaware. It is said that the Synod has no jurisdiction in the case where an appeal is taken. Granted. We do not claim any. But we commence our claim now, after the appeal, and what is the substance of our claim? It is a power to review the records of a subordinate judicatory, and to undo what was done irregularly or erroneously. But there are other members of that Synod who have acted in direct contradiction to the doctrine of their own plea. Have they not taken their seats and voted here? Their records were refused on the ground that we have no jurisdiction in

the case; and yet they did sit and exercise jurisdiction where they contend that no lawful jurisdiction can be exercised. They do, by act and deed, admit our jurisdiction, while in words they deny it. We may therefore demand their records on the ground of their own concessions.

As to the last assembly, the general understanding certainly was this, that every case should come up regularly to this Synod. I never had a doubt that that was the intention of the assembly. If then the Synod go on to issue this case, which has come regularly before them, the assembly will be bound by consistency to sustain us. It has been said here again and again, (and I was surprised that the Moderator did not interrupt such assertions,) that Mr. Barnes has had no opportunity of being heard. This was not intended for the members of this court. No; we all know the fact was otherwise. I will not say that it was uttered with the intention of impressing the populace. Certain it is that the fact is not so. Mr. Barnes had an opportunity of being heard. He was advised, and pressed, and urged to defend himself: but he contumaciously refused. When the opportunity was offered him, and the anxiety was universal that he should reply, he refused, in order that the case might be embarrassed, that so some ground might be afforded for appeal or complaint. I do not see why the book should bear harder on the appellant than on the appellee. The book says that if the appellant abandons his appeal, the cause cannot afterward go on; and shall the accused have the advantage of his own wrong when the same advantage is denied to the appellant? There was one argument urged by Mr. McKinney that is well worthy of consideration. It is founded on the 16th sub-section of the chapter on appeals.

"It shall always be deemed the duty of the judicatory, whose judgment is appealed from, to send authentic copies of all their records, and of the whole testimony relating to the matter of the appeal. And if any judicatory shall neglect its duty in this respect, especially if thereby an appellant, who has conducted with regularity on his part, is deprived of the privilege of having his appeal reasonably issued; such judicatory shall be censured according to the circumstances of the case."

This law contemplates two cases: one of which is where an appellant is precluded from his appeal seasonably issued, by the withholding of the records which ought to have been furnished to him; this is such a case. But the case is not so peculiar that for want of these papers it cannot go on. But a case might arise where the want of papers would stop all proceedings: in that case "especially" the judicatory refusing or neglecting to furnish the records, "shall be censured according to the circumstances."

Much has been said about a distinction between errors which are and which are not "fundamental." And this I know forms an obstacle with many, in assenting to the censure of Mr. Barnes. They admit he holds error, but doubt whether it is fundamental error. Now in cases of this kind, I have always adopted one rule for my own government. The question for us to decide is not whether Mr. Barnes is a good man, or a useful man: that is not a question for this judicatory to settle. What we are called to decide is whether Mr. Barnes is a good Presbyterian minister. In judging of this, we are to act under the constitution. We are not a church without a creed. In a church on that plan, the only question touching a minister's standing is, 'Does he preach the truth, for substance?' But that is not the question here. If we belonged to the Methodist connexion, a man might come to the Synod and be admitted to preach provided he denies (as Mr. Barnes does in his book) anything like decrees touching individual sinners, but admits them touching nations, or founds them on good works foreseen. But should we admit such a man among us as a man who believes in the doctrine of the divine decrees? But why not? He may hold such views and yet hold more of truth than Mr. Barnes holds: yet we should all vote to exclude him. If it was discovered that one of our own ministers embraced such notions, we should tell him that as long as he remained in our church he must believe as we do. We do not compel a man to believe as we do: and if we could, we should not. A head so soft that it can be "squeezed" into any mould we please, is a head we dont want among us. Our difficulty is with hard heads, on which no sense can make any impression. No man asked Mr. Barnes to enter the Presbyterian church. He entered it voluntarily. He read beforehand the vows he was to take; and he settled the question of taking or rejecting them, on his knees: (as I suppose.) If a man enters a church understandingly, it is a solemn covenant transaction. The church says to such an applicant: "We will admit you if you receive *bona fide* our Confession of Faith." The appellant says, by word and deed, "I do receive it, honestly, *ex animo*." On that pledge Mr. Barnes was received. But if, after farther examination and reflexion, he finds that the Confession he has embraced contains what is "absurd," (and if he thinks so he has a right to say so,) surely he ought no longer to profess to receive it. For my own part I could not remain in a church under such circumstances, for a single hour.

But Princeton has been quoted upon us. Now I had not long since a personal conversation with Professor Hodge; and I asked him, "Do you believe

that a man who denies any one doctrine of our church ought to be a minister in our connexion?" He said that his mind had long been made up in the negative. I confess I rejoiced to hear such a declaration coming from Princeton.

As to the last Assembly, we are only acting out the spirit of what was there done. I regret we have not been furnished, as yet, with the minutes of that assembly, (I mean, however, in this remark, no censure on the Stated Clerk;) if we had them here I could show that the assembly pronounces such errors as are charged upon Mr. Barnes to be "pestiferous heresies," and that "he who holds them ought not to be a minister in the Presbyterian church." The declaration was drawn up by Dr. Junkin; and he was careful to put into the enumeration of errors those contained in Mr. Barnes' book. The assembly adopted the paper, and declared to all the churches that such tenets are "pestiferous heresies." It was Princeton which drew up the final minute; and it received the Princeton vote. We therefore are carrying out the decisions of the last assembly. If not, I do not understand the English language. Now I put it to the brethren, shall we carry out these positions? or shall we not? For one I believe that the destiny of the Presbyterian church depends on a firm and fearless decision of this question. If after going as far as we have, we shall shrink now, our churches will laugh at us. They will say, "Well, if the Synod of Philadelphia, with such a majority, are not willing to come to the point and say that a man who holds such errors ought not to be a Presbyterian minister, it is in vain for us ever to look for a decision of the question. We must give it up. They are looking with intense anxiety at our deliberations. There is an impatient eagerness to read the papers in which they are reported: and I now predict that if this Synod shall not act out according to the original resolution, you never will condemn a heretic in the Presbyterian church. You will roll back the work of reformation for twenty years. Men will say those who take the foremost stand in favor of orthodoxy, when it comes to the point, shrink back and refuse to act." We are now called upon by our official duty and by the voice of the church to perform a sublime act: an act which I believe to be of the very last importance. I hope we shall, under the influence of a spirit of prayer, come to such a decision as we shall meet with pleasure when we stand ourselves before the last and great tribunal.

A motion was now made for a recess. [Considerable confusion prevailed. Mr. Musgrave rose to speak, but could not proceed. Some cried that they were ready to go on without adjourning for dinner:

they would sit till midnight. Others proposed that all should abstain from speaking and go to voting. Dr. Breckenridge remonstrated. He said to decide in such a state of the house would be acting under all the severity of a gag law.]

The Moderator called to order. Silence being in some degree restored, the question on the recess was put, and lost.

Mr. Musgrave at length obtained the floor, and was suffered to proceed. He spoke, he said, with a view to show the inexpediency of adopting the resolution for suspending Mr. Barnes. The Book of Discipline, said Mr. M. while it gives us the power of reviewing the acts of the lower courts, forbids us to reverse any judicial decision which these records may contain, unless on an appeal or complaint. The reasons for such a provision are obvious. If such a proceeding should be allowed the parties would be left without notice, and it might be that they were already well content with the decision below. But this provision is not universal; nor does it prevent the reference now moved. For to reverse on reference is one thing, and to reverse on review is another. Even admitting that we have decided this case in part, it does not follow that we have no right to refer the residue of the case to the assembly. Allowing that we have sustained the appeal, we may still refer to the highest judicatory the question touching the degree of censure to be inflicted. We may say that although we are satisfied of the truth of the charges, or of some of them, we had rather not press the case to a decision as to the punishment to be inflicted: we prefer leaving that to their judgment. Let them determine what the sentence ought to be. Most of what has been said against the reference proceeds on the assumption that those who are in favor of that measure do not wish Mr. Barnes to be censured at all. But this is not true. We think he does deserve censure, and we wish that the assembly may censure him; and, if he shall not retract, we are willing not only that he should be suspended, but even deposed. And although, perhaps, in strictness, there is no just ground to say that we have acted unjustly in the case, yet I know it we now proceed, that we shall hear from all quarters the cry of rashness, violence, cruelty and persecution. I do not wish the Synod to expose itself to this charge. The case will go to the assembly at any rate; and if you persist in this step, it will go with a much larger minority than otherwise. If you consent to the reference, the minority will be a very small though not a despicable one. But if you go on as is proposed, we shall protest and complain, and that will bring the case before the assembly, if nothing else well. That we may all go to-

gether, and that we may avoid the unpleasant imputations which will otherwise be cast upon the Synod, I hope we shall consent to refer the residue of the case to the General Assembly. [Cries for the question.]

Mr. Olmstead. Some gentlemen wish to insist upon their rights here. I am in favor of the reference; and I move Synod now take a recess.

Dr. McDowell. I have sat and listened patiently thus far: but I feel a desire to express what my views are; and I do not like to be driven in this manner.

Mr. M'Calla. Many are now present who will go away this afternoon. It is not we that drive the decision; it is the other side who compel us to insist upon it by protracting the discussion without end. If we are going to vote before we eat, (and many are resolved on that) let us vote soon.

The question was now put on the Recess, and lost.

Dr. J. Breckinridge. It is perfectly clear that a majority of the House are opposed to the resolution. I shall be content if I can get them to say this, that in consequence of the peculiar nature of this case, and and from a desire to avoid even the appearance of rashness and precipitancy, we are willing to leave it to the Assembly to say what shall be the censure inflicted on Mr. Barnes.

Mr. R. Breckinridge. I do not like to object to every thing a brother brings before the House: but why should we spend more than the four hours which have been consumed already, on the question whether we will strike out the resolution reported by a committee?

Mr. Olmstead. I am very unwilling to detain the House, but I shall certainly insist upon my rights. I will offer but a few reasons for the ground I shall take. One reason why I insist upon speaking is, the imputation which fell from a father over the way, (Mr. Latta) that a refusal to pass the vote of suspension against Mr. Barnes, will manifest a sympathy with his errors. Now I have no sympathy with his errors: not a particle: and I repel the insinuation as injurious and unfounded. It is said we have no right to look at consequences. Why, what have the brethren been doing but looking at consequences, the whole time? They have been urging us with all their might to look at the consequences of circulating Mr. Barnes's book. Now let us look at consequences a little farther; let us see whether the interests of truth, instead of being guarded and secured, will not be materially injured: that is my opinion. I am sorry to differ from my brethren and fathers, but I cannot help it. I differ with some as to the point of

Reference. I think we may refer the case for advice on one point, viz. what shall be the judgment we are to pass. We certainly have a right to refer, thus far; though, for myself, I am not unwilling to refer the whole. This is an "important" case, surely: it has a most important bearing: and our book declares that "cases which are new, *important*, difficult, of peculiar delicacy, the decision of which may establish principles or precedents of extensive influence" may be referred. This certainly is a case very peculiar in its circumstances: we have not the records of the Presbytery; we were obliged to go on without them, and without the presence of the accused. Surely such a case may be referred.

There is another reason why I am in favor of the reference. I wish the orthodox portion of the Synod to act, if possible, in conjunction with their brethren: if you go on to suspend, this cannot be; but if you refer, it will be the case, to a considerable extent. The less unanimity you show, the more will the influence of your decision be impaired. I hope in the issue that we shall be united. If you refer the case, the influence of the vote sustaining the appeal will be extensively felt: but if you proceed to suspend Mr. Barnes, it will be lost in the sympathy you will excite in his behalf.

[Cries for the question.]

Mr. WYNKOOP. If we cannot decide the case here, without the Presbyterial records, can they decide it in the court above without those records?

The confusion increasing, and loud cries on all sides for the question being made whenever any member rose to speak,

The question was at length put on Dr. Breckenridge's motion to refer; and decided in the negative, by yeas and nays as follows:

Ayes—Ministers. Messrs. J. Kennedy, Blythe, McDowell, Neil, Belville, Dinwiddie, Adair, Morss, Barr, A. G. Morrison, J. Breckinridge, Musgrave, Phelps, Harrison, Post, Bosworth, Graff, Cathcart, R. Kennedy, H. R. Wilson, McKnight, Dewitt, Cregh, Watson, Dickey, Olmstead, Gilbert, How, Hammil, Jones, Landis, Knox, McKim, Campbell, Brown, G. W. Kennedy.

Elders—Messrs. Stratton, Wallace, Graydon, Milligan, R. Boyd.

Noes—Ministers. Messrs. Green, W. Latta, McCalla, Lawrence, C. Williamson, Winchester, J. Grier, Harned, McCuen, Macklin, Elliott, Cuyler, Gibson, Martin, J. Latta, Finney, Parke, Douglass, Love, Huston, Russell, Symmes, Davie, Rutter, R. J. Breckinridge, Geo. Morrison, Laurie, McGinley, Moody, Sharon, Buchanan, J. Williamson, McKinley, McCachran, Quay, M. B. Patterson, Wynkoop, Hutchinson, Linn, Hill, McKinney, S. Wilson, Moore, McKnight, Williamson, Annan, J. B. Patterson, J. H. Grier, Smith, Todd, Barber, Hudson, Marr, Shedden, Galey.

Elders—Messrs. Algeo, Richmond, Cade, Black, Moore, Woodward, Symington, Vanarsdalen, Durfor, Brown, Steward, Bayless, Whiteford, Buchanan, Patterson, Murphy, Wahn, Penny, Smith, Jackson, Evans, James Kerr, Morris, Drurie, Sterritt, Coleman, Rogers, Jordan, Fullerton, Graham, Blair, Woods, McCoy, Wm. Irvin, Cassat, Gabby, Agnew, Davis, McGinley, McAlister, Humes, Bayley, John Kerr, Gilleland, Porter, N. Wilson, Barr, W. Irvin, J. Wilson, Moorhead, Shedden, Ferguson, J. B. Boyd, Clark, J. Grier, Laird, Rankin, Hepburn, Sanderson.

Non Liquet—Elder, Mr. Stokes.

Yeas 41. Nays 115.

So the proposition to refer the case to the General Assembly was rejected.

Mr. Blythe now offered as a substitute for the 3d resolution of the committee, two resolutions declaring, in substance, 1. That Mr. Barnes ought to be suspended from the ministry until he shall publicly retract his errors: 2. That the Presbytery be directed to meet and finally dispose of his case.

Mr. B. made a few remarks going to shew that when the question is on suspending a gospel minister from his office, the Presbytery alone had jurisdiction of it.

The Moderator pronounced the resolutions not to be in order.

Dr. McDowell. Is not the committee's resolution under consideration? and is it not still open to amendment?

Mr. Cassatt. It is universally admitted, in every legislative body, that a motion going to reverse a decision just made is out of order.

Moderator. The chair feels a delicacy in pressing his decision. He wishes the house to decide whether it is now in order to receive the substitute proposed.

The house, by a general expression, seemed to signify its judgment in the negative, but, as the reporter believes, no formal vote was taken.

The question now recurring on the third resolution of the committee, (viz to suspend Mr. Barnes.)

Dr. M'Dowell. There is one point which has not been attended to. I doubt the constitutional right of Synod to pass such a sentence. Some precedents have been referred to; but the ground I take is that the higher judicatories have no original jurisdiction, except they obtain it by reference. I am well acquainted with the whole history of the case of the Cumberland Presbytery. The propriety of the act of Synod suspending those young ministers from their office was discussed in the assembly for five successive days, under as high a state of excitement as I ever saw in that body. It was the first time the question was taken by yeas and nays; and it was declared that the Synod had no right to pass such an

act. [Murmurs of contradiction.] I assert it: and I appeal to the documents. I call upon brethren to point out to me a single case, in the history of our church, in which a Synod, in such circumstances as ours, ever deposed or suspended a gospel minister. In the case of Davis, in 1810, the Synod of the Carolinas directed the Presbytery to call him to account for erroneous doctrine; they did it, and deposed him; Davis appealed to Synod from their sentence; and the question arose, Have the Synod of the Carolinas any legal hold on Mr. Davis? And it was decided that they had. But the Assembly reversed that decision, and declared that the Synod had not. The Assembly directed that the case should be remanded to the Presbytery; and if the Presbytery should refuse to act, that they should be dissolved, and that Davis should be put in the Presbytery which did depose him. The case of Dr. Andrews came before the Assembly twice. He had been admonished and afterwards suspended by the Presbytery of Elizabethtown: the Synod confirmed his suspension, and the Assembly approved the act of the Synod. Andrews sent in a contumacious letter: and what did the Assembly do in consequence? Did it depose him on the spot? They passed a vote that the Presbytery ought to depose him; and the Presbytery did depose him. Suppose an individual had applied to Presbytery for ordination, and, being refused, should appeal to this Synod. If we, on a hearing of the case were of opinion that he ought to have been ordained, should we, as a Synod, forthwith proceed to ordain him? No: we should direct the Presbytery to ordain him, or put him in a Presbytery that would. But if we have no right to confer the ministerial office, have we a right to take it away? Can we deprive a man of a power we cannot confer? It was once contended in the Assembly that that body possessed and could exercise all the powers of all inferior judicatories. That both a Synod and the General Assembly had a right to go into any of our churches and call up and try an individual member: but the pretension was promptly put down. You are now fast moving toward the same point. I suppose the next thing will be for Synod to come into my church and arraign some of my elders for heresy. I have no objection that this case should go back to the Presbytery: let them issue it in a constitutional way, and thus save a vital principle in our church government.

Dr. GREEN. It should be known and remembered that a General Assembly of the subsequent year on a review of the whole case of the Cumberland Presbyterians not only confirmed what the Synod of Kentucky had done, but highly commended it. I can shew, in the old records of the church, case after

case, where suspension was executed by a Synod: in fact, at that time, it was seldom performed by any other court. The difference between a body which, like a Synod, meets in corps, and one which, like the Assembly, meets by delegation, is too obvious to be insisted on. [Cries for the question.]

Mr. KENNEDY. That authority which inducted Mr. Barnes into office, has alone the right to take his office from him. [Strong manifestations of impatience.]

Mr. BLYTHE. I am as desirous that this case should be brought to a fair issue as any man can be. It is only because I believe the vital interests of the Synod as an appellate body to be involved, that I protest in strong terms against your exercising that discipline which belongs to the primary court below. Whatever court has original jurisdiction is the only court which can pass such a resolution as is before us. The process of argument in the preamble of the resolution, * * *

[Here Mr. Blythe was interrupted by a scraping of feet, coughing, cries for the question, and a general confusion. Dr. Breckinridge and Mr. R. Breckinridge rose to order, but they could not proceed.]

The question being about to be put,

Dr. McDOWELL demanded the yeas and nays; which were ordered by the house.

Dr. NEILL moved a recess. Lost.

The question was at length taken on the resolution suspending Mr. Barnes from office, and decided by yeas and nays as follows:

Ayes.—Green, Latta, McCalla, Lawrence, C. Williamson, Winchester, Parker, Grier, Harned, M. Cuen, M. Williamson, Kennedy, Blythe, Macklin, Elliott, Cuyler, Gibson, Martin, J. Latta, Finney, Park, J. N. C. Grier, Douglas, Love, Houston, Russel, Symmes, Davis, Davie, Rutter, R. J. Breckinridge, Morrison, Moody, Sharon, J. Williamson McKinley, Quay, Creigh, Patterson, Wynkoop, White, J. B. Patterson, J. H. Grier, Smith, Todd, Barber, Hudson, Marr, Sheddan, Galey, Hutchinson, Linn, Hill, McKinney, Wilson, Moore, McK Williamson, Annan, (Ministers.) Algeo, Richmond, Cade, Black, Moore, Stratton, Woodward, Symington, Vanarsdalen, Durfor, Brown, Steward, Bayless, Whiteford, Buchanan, Patterson, Murphy, Wahn, Penny, Love, Jackson, Evans, Kerr, Morris. Drurie, Sterret, Coleman, Rodgers, Jordan, Fullerton, Graham, Blair, Woods, McCay, Irvin, Cassat, Gabby, Agnew, McIlvaine, Davis, McAllister, Humes, Kerr, Gilleland, Porter, Wilson, Barr, Irwin, Wilson, Moorhead, Shedden, Ferguson, Clark, Grier, Laird, Rankin, Hepburn, Sanderson, (Elders)—116.

Noes.—McDowell, Neil, Belville, Dinwiddie, Adair, Barr, Musgrave, Phelps, Harrison, Post, Bosworth, Graff, Cathcart, Kennedy, McKnight, Dewitt, Dickey, Gilbert, How, Hamill, Jones, Landis, Knox, Pickands, Patterson, McKim, Campbell, Brown, Kennedy, (Ministers.) Graydon, Boyd, (Elders.)—31.

Non Liquets, Laurie, *Minister*, *Stokes*, Elder—2.
Excused from voting, J. Breckinridge, Wilson, Watson, Olmstead, (Ministers.) Wallace, Milligan, (Elders.)—6.

The Moderator announced the result of the vote to be:

For the resolution,	116
Against it,	31
Non-Liquets,	2
Excused from voting,	6

So the Synod adopted the following resolution:

THAT THE SAID ALBERT BARNES BE, AND HE HEREBY IS, SUSPENDED FROM THE EXERCISE OF ALL THE FUNCTIONS PROPER TO THE GOSPEL MINISTRY, UNTIL HE SHALL RETRACT THE ERRORS HEREBY CONDEMNED, AND GIVE SATISFACTORY EVIDENCE OF REPENTANCE.

The following paper was presented by the subscribers, and ordered to go on the minutes, viz.:

The undersigned, who were excused from voting, and those who voted against the adoption of the resolution suspending the Rev. A. Barnes, beg permission to have the following explanation entered on the minutes of Synod, to wit, that their object was to procure the adoption of the following resolution which was offered as a substitute, viz.

Resolved, However, from a desire to avoid even the *appearance* of *injustice* or *rashness* on the part of this Synod, that in this state of the business we refer it to the next General Assembly, to decide what judgment should be rendered in this case; and respectfully petition them to pass such sentence as they may deem most conducive to the glory of God, and the purity and peace of the church.

John McDowell,	John Breckinridge,
P. E. Phelps,	J. C. Watson,
William Neil,	J. L. Dinwiddie,
Robert B. Belville,	Henry R. Wilson,
J. M. Olmstead,	Joseph Barr,

G. W. Musgrave.

At the request of Dr. Laurie, the Synod agreed to permit the following note in explanation of his vote on the minute in the case of Mr. Barnes, viz.

That he had intimated, after the minute was handed in by him, as the Chairman of the committee, that he did not entirely agree with the committee in the third resolution; that he doubted the right of Synod to act as proposed by the resolution, and did not recollect any precedents for so acting, and that he would have preferred sending down the case to the Presbytery to which Mr. Barnes might belong, with instructions to suspend him from the functions of the Christian ministry, if he should not renounce his errors—he therefore declined voting on the final question.

Synod took recess for an hour.

After recess,

The MODERATOR said he was at a loss to know whether any official form was requisite in order to complete the act of Synod resolving on the suspen-

sion. There was, he knew, a prescribed form in reference to a private member, but he believed there was none for the suspension or deposition of a minister.

Mr. R. Breckinridge moved that an extract from the minutes containing the judgment of Synod be put into the hands of Mr. Barnes by the stated clerk of Synod; which was agreed to.

An application was made by several members who were absent at the taking of the last vote to have their names entered among the yeas and nays: but Synod refused it, as irregular.

The following paper was presented by Mr. Barnes, viz.

To the Moderator of the Synod of Philadelphia:

The undersigned begs leave respectfully to inform you, and through you the Synod over which you preside, that he does hereby appeal from your decision, passed this day, whereby you have suspended him from the exercise of the functions of a gospel minister; and that he will complain of the same to the next General Assembly of the Presbyterian Church in the United States. The reasons of the complaint and appeal he will submit to you within ten days from the rising of the Synod. Albert Barnes.

York, Nov. 4, 1835.

Re-organization of Philadelphia Presbyteries.

The Synod then proceeded to take up the subject of a re-organization of the Presbyteries of Philadelphia, when the Assembly's 2d Presbytery presented the following paper, viz:

"Whereas this Presbytery have no desire to oppose the wishes of their brethren and to excite uneasiness by continuing to operate without geographical limits; and whereas it is manifest that as long as no such limits are distinctly defined for us we shall be suspected and accused of overlapping the territory of other Presbyteries, and thus give occasion for jealousies and suspicion; therefore,

Resolved, That this Presbytery pray Synod to continue them in existence agreeably to the following regulations, viz.

1. All the ministers and churches now connected with us to remain in their present relation till they signify their desire to withdraw from it.

2. The boundaries of the Presbytery to be as follows, viz: a line running from the Delaware along Tenth street as far Coates' street, and thence to the township line road, where it intersects Broad street, and along said road to the southern boundary of Montgomery county, including all between said lines and the river Schuylkill; and also the whole of the counties of Berks and Schuylkill, and as much of Chester and Philadelphia counties as lies north of the Conestoga turnpike road from Morgantown to the Lancaster turnpike road, and along this latter road to the Schuylkill permanent bridge." A true extract,

George Duffield,
Clerk of Presbytery.

York, Nov. 4, 1835.

The report of Dr. Cuyler relative to the arrangement and boundaries of the Presbyteries of Philadelphia was read a second time.

Mr. Duffield. I wish to state on behalf of the Assembly's second presbytery that we have no wish to be the occasion of jealousy to our brethren. We are ready to shake hands with them and meet on friendly terms. We have no *elective affinity* principle for which we wish to contend. We are willing to dispense with at least one bone of contention which has produced so much difficulty.

Moderator. In what light is this paper, submitted by Mr. Duffield, to be considered?

Mr. Gilbert. I move that the prayer of the petitioners be granted.

Mr. R. Breckinridge now moved the following:

Resolved 1*st*. That the Assembly's 2d Presbytery be, and it hereby is, dissolved, and that all the churches, ministers, licentiates, and candidates belonging to it are hereby directed to make application, as soon as possible, for admission into the Presbyteries within the bounds of which each of said churches, ministers, licentiates, and candidates may reside or be situated.

Resolved 2*d*. That the stated clerk of the Assembly's 2d Presbytery is hereby directed to cause all the papers and records of and belonging to said Presbytery, to be placed without delay in the hands of the stated clerk of the Presbytery of Philadelphia, who is hereby directed to cause an attested copy of said records to be made out and placed in the hands of the stated clerk of the synodical 2d Presbytery at the expense of the last named Presbytery.

Resolved 3*d*. That every church, minister, licentiate, and candidate who shall not apply for admission to the Presbytery within whose bounds each may reside or be situated, at or before the next semi-annual meeting of said Presbyteries in the spring of 1836, every such church, minister, licentiate and candidate is hereby declared to be, *de facto*, cut off from the communion of the Presbyterian church, unless prevented from so doing by some providential or other insurmountable obstacle.

Dr. Green. I hold in my hand a paper which must be heard before this subject is acted on.

Dr. G. then handed in a report on the vexed subject of the 5th church in Arch street, and Dr. Darrach.

Dr. Cathcart moved to postpone the consideration of Mr. Breckinridge's resolution for the purpose of considering another plan for dividing the presbytery into three: which he read.

Dr. Cuyler opposed the postponement because he was opposed to the measure. It would only operate to form a nest that would be filled with cockatrices. The only true course was to extirpate the Assembly's Second Presbytery, root and branch. Dr. Cuy-

ler then withdrew the resolution he had reported, with a view to consider that moved by Mr. Breckinridge.

The question being on Mr. Breckinridge's resolution,

Dr. Cathcart moved his plan.

Mr. M'Calla. The plan of Mr. Breckinridge requires examination. That just offered requires none. There is a vast difference between the two. I cannot agree to the proposal to give the Assembly's Second Presbytery geographical limits, because it was from the beginning unconstitutiona ly organized, and organized for the express purpose of maintaining and propagating the doctrines in Mr. Barnes' book. That was the beginning of the affair. Mr. Barnes came in amongst us, and this Presbytery was constituted that he might be comfortable. We have now, prayerfully and believingly, sat in judgment upon his book, and have condemned it: and now that Presbytery comes and in humble tone prays to be saved from that extinction which Dr. Breckinridge said was inevitable. It is now, however, proposed to adopt a new plan, and give up a certain district of the city to salt; to do, in fact, what Cyrus did when he turned the Euphrates into the plain of Babylon, and let that whole region be filled with dragons and owls and satyrs. What I say here I have said to these men themselves. They laugh, and say "we like you M'Calla, you are an honest man; we know where to find you." Let Synod do what they say, and they will find it the best mode to protect the interests of sound doctrine. Then you will know what books and papers they are putting forth, and all they are doing. I speak honestly my meaning. I have no hate toward any of these men: but I disbelieve both their doctrine and their discipline. I think it is high time their dissolution took place. But it seems they are going to live still: yes, and in a far worse state than ever. So long as they remain together in one mass, you know how to handle them. But while all their elements of mischief remain, it is now proposed to scatter them among all the other presbyteries. This is like spreading poison. So long as it is all in one bottle, you have it under control, and it can do comparatively little harm. But if, to prevent your servant or your son from getting at it, you swallow it yourself, you are not wise. I am now going to differ from some of the greatest and wisest of this body, just as I did once before, and after a while the Synod came round to my ground. There must be a forlorn hope somewhere in every army strongly pressed, and as long as this pulse shall continue to beat, I am willing to be one of them, for I love the Lord Jesus, and the souls he bought with his blood. When I say that the

errors of these men are fundamental errors, you know that what I say is true, according to my conscience, according to the confession of faith, and according to the Bible. To keep this Presbytery among us will only be to spread all this poison. When they are talking among themselves, they comfort one another saying, "Well, never mind; let us but get in among them, and we'll find a way to manage, no fear of it." At first Mr. Skinner was the only man of this kidney among us. He preached doctrines fundamentally erroneous: and it was then said it would be hard to get any body who would undertake to prove the charge. I offered to take that task on my shoulders: but could I get my Presbytery to agree to it? No. We could not manage him: but he soon found the way to manage us, and we soon had to encounter plans upon plans.

Dr. NEILL. Moderator, is all this in order?

Dr. CATHCART. Did any man ever hear such abuse before allowed in a church court?

Mr. M'CALLA. I had no intention to hurt the nerves of Dr. Neill.

MODERATOR. You must keep within the limits of order. You may proceed.

Mr. M'CALLA. It is in vain for us to talk of management. How are you going to manage an ounce of mercury thrown into any man's system all at once? You would find it hard to manage a quart of whiskey a day. It would take a whole Presbytery, if they were as many as would fill Second street in one solemn row. If it did not soon intoxicate them I know nothing of ecclesiastical physiology. No. Let their Presbytery remain as it is at present. Let them go on laying their eggs in every nest: that is the only way by which you will ever get men to vote to put them out altogether. That is my plan. I move the indefinite postponement of Mr. Breckinridge's resolution in order to introduce the following:

Whereas the Assembly's Second Presbytery was unconstitutionally formed for the protection and propagation of those errors which this synod has just now condemned,

And whereas it has exercised its functions unconstitutionally and against the peace and edification of the churches,

And whereas it has refused to submit its records to the review and control of this synod,

And whereas this synod has already pronounced their conduct in withholding the records in the case of Dr. Junkin against Mr. Barnes to be obstinate, vexatious, unjust, uncandid, contumacious, and grossly disorderly; therefore,

Resolved, That the said second presbytery of the General Assembly be considered, and they are hereby considered, no longer under our watch and care or in our ecclesiastical connexion until they repent of their error and contumacy. Moreover,

Resolved, That whenever the ministers or congregations, or any of them, shall sue for admission into a connection to which they geographically belong, they may be received at the discretion of the Presbytery to which they apply.

This will be following the example of your youngest daughter. This will free us from wolves in sheep's clothing. I know of no cable that will hold hungry wolves. Let us endeavor to do what the constitution requires. As to some brethren among us who do not agree to any strong measure, we know there always must be some such men. There are some men who could not put down a heresy in a thousand years. It is not in their nature to toe the mark. But is that any reason why others are not to do it? Men who now plead the constitution in opposition to any and every thing that has decision in it, cared nothing for the constitution when the Assembly's second Presbytery was formed, in the very teeth of the constitution. Heretics may abound as they will, these men will never take any step. You can never get them up to a measure of discipline. Whoever undertakes the business must bear the whole *onus operandi*. He must make up his mind to be branded with all the obloquy. I agree with my brother (Mr. Breckinridge) if the Presbytery can't be dissolved, let us put it where David put Saul's armor. I like a cannon very well; but if my enemy has possession of it, and every ball strikes into my camp, I should wish the cannon at the bottom of the sea. Just so our constitution is used: it is never employed against a heretic: whenever the brethren point and fire, it is always against ourselves.

Dr. Cathcart. Heard ever any body the like?

Mr. McCalla. I really think men ought to be satisfied with acting for three years against the constitution of their own church, and acting against it contumaciously.

Moderator. The motion for indefinite postponement is not in order. It puts a whole Presbytery out of the House.

The question was now put on Dr. Cathcart's motion to postpone and consider the plan moved by him, and lost. The question then recurring on the resolutions moved by Mr. R. Breckinridge.

Dr. Green demanded a division of the question: that it might first be taken on dissolving the second Presbytery.

Dr. Breckinridge. Do we do this with the understanding that the other two Presbyteries of Philadelphia are to be retained?

Moderator. That is the understanding of the Chair.

Mr. J. Patterson. You are now about to dissolve the Assembly's second Presbytery for the mischiefs

it has done. Before the resolution is adopted I wish at least to disabuse myself. [Mr. P. here went into a detailed history of the Fairmount church, and the agency he had had in reference to that whole affair; contending that the Presbytery had done nothing in relation to it of which they had the least reason to be ashamed.] Dr. McDowell, he knew, was sore, because after they had rescued it out of the hands of the sheriff, they did not put it again under his care. But said Mr. P. the child gasped and died in his hands, though his people are wealthy, and abundantly able to have built the church and bought it over and over. Would it have been reasonable to put it back into the same keeping, that it might die a second time? What blame attaches to our conduct in thus saving a church out of the hands of the sheriff. And are gentlemen going to vote, wholesale, to smash our Presbytery at a blow, for this? I defy any one to point out any act of disorder we have been guilty of, unless it is the organization of the central church in the North Liberties: and I believe the Synod know enough about that.

Mr. DAVIE. By this act you open the door for an appeal: and if the Presbytery do not enter it, I shall say they are men of peace: that's all. According to the second branch of the resolution, these ministers are individually to seek admission into another Presbytery by submitting to an examination. To whom, I ask, are they to be responsible until they do this? Are they to be connected with no Presbytery? Are they to stand alone? Is this Presbyterian? To throw a whole Presbytery out of the bounds of all responsibility?

Mr. M'CALLA. The consequence is known to be that these men will become disseminated through all the presbyteries. I hope that all those who voted against the errors of Mr. Barnes will remember that if this resolution shall be adopted, those errors will be speedily and effectually spread in all directions among us. Though I am said to be good at fighting, yet I am disposed to peace.

Dr. GREEN now withdrew his motion for a division of the question.

The question being then on the adoption of Mr. Breckinridge's resolutions entire,

Mr. M'CALLA moved a postponement with a view to take up the substitute he had himself offered.

This motion prevailed: and the resolution having been read again,

Dr. J. BRECKINRIDGE rose to oppose it. I consider this as a disorganizing proposition. I cannot go into a discussion of it: I feel my frame exhausted, and my heart too. I had determined to go home in silence: but I cannot let this pass without one effort

against it. Whatever may have been the error of the General Assembly in constituting their Second Presbytery of Philadelphia, and I thought at the time that it was improper, because they had no constitutional right to do such an act, and because the objects in view appeared to me to be wrong, yet now that the Presbytery has been constituted and has been recognized by this synod as an existing ecclesiastical body, and its members stand *recti in ecclesia*, I think we have no right to put it out of the church without trying its members for irregularities of conduct. It is an *ex post facto* proceeding, and we have no right to adopt any such course. The men of that Presbytery are not before us either on corporate trial, or on personal trial. We are now engaged in a re-organization of our presbyteries; but this is not organization: it is excision. The assembly ordered us to arrange the presbyteries, and I am in favor of it, but I am for having Market-street the dividing line. If we have poison in a bottle, I am not for breaking the bottle.

Moderator. The chair has serious doubts whether this resolution is in order. It cuts off a whole Presbytery without a trial. If I am wrong, I wish some member would appeal and let the house decide it.

Mr. R. Breckinridge. I will take an appeal.

Mr. M'Calla. Dr. Breckinridge made use of words which I do not think were for edification. This resolution is intended to do just what was done in the Synod of Kentucky. The Cumberland Presbytery was declared to be no longer under their watch and care as Presbyterian ministers; and this on the ground of the very heresy we have condemned in the person of Mr. Barnes.

Moderator. The members of that Presbytery have never been arraigned for heresy. They have been charged with contumacy: but never with heresy. I cannot think the resolution in order.

The question being now put on Mr. Breckinridge's appeal, the decision of the chair was sustained, and Mr. McCalla's resolution was declared out of order.

The question then recurring on Mr. R. Breckinridge's resolution,

Mr. R. Breckinridge rose in its support. If, said he, the Synod approves of the proposed dissolution of the 2d Presbytery, I have another resolution to offer, showing what ought to be done with the Presbyterial books: and what with the members of that Presbytery if they shall contumaciously refuse to deliver up their records. An elective affinity body is one which has no limits; and such a body is against the constitution. The assembly declared this in the minute adopted by them touching the memorial accom-

panying the Act and Testimony; and their act directs, in substance, that we shall dissolve that Presbytery. The first resolution I have had the honor to propose goes to dissolve the Presbytery: the third provides what is to be done with the members composing it. You may make Market-street the dividing line if you like—and let the existing Presbytery exist still, unless some harm will result from such an arrangement. But I hold it the solemn duty of the Synod to diminish the number of its Presbyteries. It was one of the best things this Synod ever did when it refused to consent to its own dismemberment. We were divided by a *coup de main* in the assembly, and were it lawful I could tell some stories of what passed between a brother (Mr. J. Patterson) and myself on that occasion.

[MODERATOR. That will not be in order.]

The plan of Dr. Cathcart goes to force these members into other Presbyteries without their consent. But this resolution provides that before admission into other Presbyteries, these gentlemen shall submit, if required, to an examination as to their religious belief. If they were to apply to my Presbytery, I should certainly insist upon such examination with respect to a great majority of the members of that Presbytery; and I believe that they would not be admitted into some of our Presbyteries. There is no way of getting into the Presbyterian church but through one of its Presbyteries; and though we have a right to force these men into a Presbytery, yet I think this is the better way. I wish them to go lawfully into some Presbytery. They will have, indeed, to submit to an examination: but if they feel as I do, instead of objecting to this, they will desire it and insist upon it. We have long laid a rule upon the Baltimore Presbytery, that an applicant must be examined before he is received, if any one member of the Presbytery desires it. The resolution provides that if they do not apply to any Presbytery for admission before a definite time, they shall be considered as no longer in the Presbyterian church.

The question was now put on the first resolution and it was carried.

The 2d resolution was then read and it also was agreed to.

The third resolution was then read, and the question being on this resolution

Mr. GILBERT. Can you dismiss a member from one Presbytery and not send him to another? Would that be Presbyterian?

Mr. R. BRECKINRIDGE. A Presbytery cannot constitutionally dissolve itself. A man may, indeed, cut his own throat, and a certain church in Baltimore met and dissolved itself: but the act was not regular.

Here Mr. B. went into a history of the case of Mr. Duncan and argued that what was done in relation to one might as lawfully be done in regard to another.]

Dr. J. BRECKINRIDGE. I doubt if a fair answer has been given. Dr. B. here entered into a farther account of the case of Mr. Duncan, and insisted that what was done in that instance was quite a different matter from dissolving a Presbytery and leaving all its members at loose ends belonging to nobody, uncertain whether they were under the care of any Synod and in fact not Presbyterians. This was putting men out of the church not by the door, but pushing them out of the window.

MODERATOR. These remarks relate to the first resolution and the brother will remember that that resolution has been adopted.

Dr. J. BRECKINRIDGE. I mourn over it.

The question was now put upon the resolution and it was carried.

The Moderator declared that all other business in reference to the division of the Presbytery fell as of course by the adoption of these resolutions.

Mr. MUSGRAVE read an explanation of his vote which at his motion was ordered to be entered on the minutes.

Dr. ELY from the Assembly's Second Presbytery presented the following appeal and complaint.

Whereas the Book of Discipline Chap. III, article 1, of the preamble decides that "*every kind of decision* which is formed in any church judicatory, except the highest, is subject to the review of a superior judicatory, and may be carried before it in one or the other of the four following ways, viz. 1 General Review 2 Reference 3 Appeal and 4 Complaint: And whereas the Synod of Philadelphia and this Presbytery have now become original parties in relation to the decision of the Synod by which they have attempted to dissolve the Second Presbytery of Philadelphia; and of which we hereby complain:

Therefore Resolved, that this Presbytery will and hereby does appeal to the General Assembly to meet in Pittsburg in May next, against the aforesaid decision: that the Assembly may decide, when they have heard this appeal, whether we shall submit to that decision or not.

Our reasons for this appeal from that decision of which we hereby COMPLAIN, to the next Assembly, are the following.

1. The attempt to dissolve this Presbytery under the circumstances of the case, we regard as the continued resistance of the Synod of Philadelphia to the authority of the General Assembly of former years, by which this Presbytery has been constituted and continued.

2. The Presbytery judge that the dissolution of the Second Presbytery of Philadelphia at the present time, and by the Synod of Philadelphia, would not conduce to the peace and edification of the Presbyterian church in the U. States, but on the contrary, would be highly prejudicial to the best interests of religion.

3. The Presbytery think the manner of the dissolution wholly unprecedented and unconstitutional.

By order of the Presbytery,
EZRA STILES ELY, *Committee.*

York, Pa. Nov. 4, 1835.

He observed that in all probability it was the last time that he should ever trouble the Synod, or have an opportunity of speaking to Presbyters with whom for twenty years he had acted with great cordiality. With this paper, the Presbytery made their bow, for it seemed to him that the Synod now regarded them as stragglers, and so he supposed they were to remain, until those who were the superiors alike of Synod and Presbytery, should decide what was to be their standing.

The Synod now took a recess.

Mr. WINCHESTER moved that when Synod adjourn it, adjourn to meet at Carlisle on the second Wednesday of February, but after some conversation this motion was rejected.

Dr. LAURIE called up the report of the committee on dissolving the Presbytery of the District of Columbia, and uniting its members with the Presbytery of Baltimore, which after a brief opposition by Dr. L. was on motion of Dr. Cuyler indefinitely postponed.

Synod took up a memorial from the Presbytery of New Castle, complaining of the Presbytery of Wilmington for its organization of a church within its bounds, and in the midst (as alleged) of the congregation of the Rev. Mr. Russel. After a desultory discussion, it resolved that the Presbytery of Wilmington be required to lay on the table of Synod forthwith so much of their records as relate to the above mentioned case. To the above order of Synod, the Presbytery of Wilmington made the following reply, viz:

At a meeting of the Presbytery of Wilmington, at York, Penn. Oct. 29th, 1835, it was

Resolved, That the Stated Clerk of this Presbytery be not allowed to deliver the records or papers belonging to this Presbytery to the Synod of Philadelphia, because, in our judgment, said Synod has not and could not have any jurisdiction over this Presbytery prior to the 28th day of October, 1835.

True extract from the minutes of the Presbytery of Wilmington. Attest, E. W. GILBERT, Stated Clerk.

York, Oct. 28th, 1835.

Whereupon it was *Resolved*, That the above plea to the jurisdiction of this Synod be considered as no bar to proceeding in this case.

Further *Resolved*, That the Presbytery of Wilmington be and it hereby is censured for contumacy in withholding its records.

And further *Resolved*, That the act of the Presbytery of Wilmington, in organizing a church within the bounds of a church already existing and connected with the Presbytery of New Castle, was disorderly and an unkind interference,

and that the church thus formed be, and it hereby is dissolved.

Synod next took up a memorial from the Carlisle Presbytery, complaining of the same Presbytery of Wilmington for its course in receiving and licensing Mr. J. M. McKim, a candidate under the care of Carlisle Presbytery, who had not regularly been dismissed from under its care, and whose trials for licensure, presented to that Presbytery, had not been sustained.

After a very desultory discussion, attended occasionally with some warmth, it was finally

Resolved, That the conduct of the Wilmington Presbytery, in the case of Mr. McKim, was unconstitutional and grossly disorderly.

Further *Resolved*, That the Presbytery of Wilmington be, and it hereby is dissolved, and the ministers, licentiates, candidates and churches being and residing on the north side of the New Castle and Frenchtown Rail Road, including the church in New Castle, be transferred to the Presbytery of New Castle, and all the ministers, licentiates, candidates and churches, being and residing on the south side of said line, be transferred to the Presbytery of Lewes; and that the Stated Clerk of the said Presbytery of Wilmington be directed to transfer the records and all other documents belonging to said Presbytery, to the Stated Clerk of the Presbytery of New Castle.

Mr. How and Mr. Jones gave notice of their intention to complain of the disposition thus made of the churches under their care.

Dr. BRECKINRIDGE made a report on the state of religion, which was adopted.

The minutes were committed to the Moderator for publication.

Mr. H. R. WILSON, Stated Clerk of Synod, reported that he had put into the hands of Mr. Barnes, an attested copy of the minute of Synod containing the sentence of Mr. Barnes's suspension.

An overture on the subject of foreign missions was next considered and adopted, with some modifications.

Mr. WINCHESTER reported a minute on the memorial of the Presbytery of Carlisle, in the case of Mr. McKim, which was adopted.

The Synod then adjourned to meet in the city of Philadelphia, in the Central Presbyterian Church, on the last Wednesday of October next, at 10 o'clock, A. M., and the sitting was closed with prayer.

APPENDIX.

DEFENCE OF ALBERT BARNES.

Defence of Albert Barnes against the charges of the Rev. George Junkin, D. D., President of Lafayette College; tried before the Second Presbytery of Philadelphia, June 30—*July* 8, 1835.

The charges here alleged are ten in number, for erroneous doctrines taught and published in the 'Notes on the Epistle to the Romans.' Before proceeding to answer them at length, it may be proper to advert to three remarkable circumstances in regard to the manner in which they have been brought.

The first is, that the prosecutor and the accused belong to different presbyteries, and to different synods. In my own presbytery I was in good standing, and enjoying, so far as I had, or still have any reason to suppose, the confidence of my co-presbyters. I was pursuing peacefully the duties of a most arduous pastoral charge, requiring all my time and strength; and indeed exhausting the vigor of my life, and rapidly undermining my constitution by arduous and incessant duties. I was surrounded by a church perfectly united and harmonious; having confidence, so far as I knew, in my ministry, my character, and my orthodoxy. It is not known that the voice of complaint had been heard among the people of my own charge of any dereliction from the doctrines which had been taught in the First Presbyterian Church in the United States, for a period of one hundred and thirty years. Charges similar to these had been alleged against me—not indeed in a formal and regular manner, but in an *irregular* manner by the Presbytery of Philadelphia. Those accusations had been laid before the General Assembly, and the highest judicature of the Presbyterian church had fully acquitted me of them. The agitations of that time had died somewhat away. I was permitted to return to my labor with the hope that I might pursue it in peace.

These charges are substantially of the same nature, and are not pretended to be different by the prosecutor himself. In the midst of my labors, and my plans for the welfare of my pastoral charge, my attention has been arrested, and a demand made on my time and patience and strength to answer again substantially the same accusations. They are brought by a member of another presbytery, and another synod. To Dr. Junkin I had done no injury; I had made no allusion. His opinions I had not attacked; nor in the book on which these charges are based, have I made the remotest allusion to him, or his doctrines. I admit indeed the right of any minister of the Presbyterian church to bring charges of heresy, or immorality against any other minister; but the question instinctively arises in looking at the circumstances of this case: 'Why should *Dr. Junkin* feel himself called on to stand forth as the defender of orthodoxy, and as the accuser of his brethren? Why should the president of a literary institution feel himself called on to bring solemn and grave charges of error against a pastor in another presbytery? Why should *he* feel it to be his duty to excite suspicion, and disturb the peace of a church of Christ, and unsettle their confidence in their pastor, and allege charges fitted, and designed doubtless, to depose him from the ministry—to blast his good name, and arrest his schemes of labor, and put a period to the little good which he might be doing? Why should *he* be the man to tear open old wounds scarcely healed, and raise again the cry of alarming heresy, fast dying away, and throw the christian community again into agitation. There *may* possibly be such an eminence of talent, learning, piety, eloquence, as to constitute a man a guardian of the orthodoxy and the peace of the churches. But it is a very material question whether it is wise for a man to put forth any thing which can be construed into any such claim of ecclesiastical pre-eminence and guardianship. On *any* consideration of this subject, it is not easy to see why the president of Lafayette college should have felt himself called on to allege these charges.

A second circumstance that is remarkable is, the manner in which these charges have been brought. Our Savior has laid down a rule which it is conceived is equally obligatory on all his followers, and in all cases whether pertaining to public or private transactions. Mat. xviii, 15: "Moreover if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother." That this direction is applicable to all the cases of *offence* which may occur in the church there can be no reasonable doubt.

Charges can be brought against a man in no other way than as they are supposed to constitute some *offence* or *crime*, either of a public or private nature. They can be brought by an individual only as that individual has been injured or offended. If the deed be of a public nature, it is an offence against the prosecutor only as a part of the public, and he can be considered as injured only *as* a part of the public. If on this ground therefore charges are brought, the rule of the Savior should be regarded as applicable and binding.

It is equally manifest that our Savior mentions *no case* where any other course would be proper. He speaks of no public offence where this course would not be demanded. He specifies no instance of an offence where this course might be dispensed with. Had there been any such cases, they would have been referred to; and he would not have concealed the instance where an offence might have existed in which it was *not* proper or necessary for the brother "to go and tell him his fault" alone. Every instance, therefore, of offence comes under this rule of the New Testament.

The wisdom of the rule is manifest. No small part of the trials for injury, for heresy, for error, for offences of any kind in the church, would be avoided by the observance of this simple direction. A frank and friendly intercourse between brethren, would often show them that there was no ground of offence; that no crime had been intended or committed; and that all that was necessary was a simple statement of the facts as they occurred, and of the intention which led to them. This is as certainly true of doctrines as of alleged moral offences. In most cases of supposed error, all the difficulty can be removed by a frank and free interchange of sentiments.

If it be alleged that *a book* is an exception to these remarks, that it is public, and the offence spread abroad, I reply that the Savior made no exception in any such case; nor should he have done. *A book* comes under the same general direction as offences of any kind. If a man feels that he is injured by a book it must be either as *one of the public*, because the book holds erroneous sentiments, or that he is particularly intended by slanderous or other injurious words; and in either case if he suppposes that an injury is done so as to demand his attention, the rule of the Savior is applicable. Further, there is this difference in the case of *a book* from other forms of public or private injury. A book can be corrected. The correction can flow in the same channel, and it can become a *permanent* and wide-spread attestation of the author of his conviction of his error, and he may thus do more to repair an injury than in the case

of any other mode of offence. It is evident, therefore, that the fact that the alleged injury was done *in a book*, does not remove it from the operation of the Savior's rule.

Now I have cause to complain that this plain and obvious rule of Jesus Christ was not regarded by Dr. Junkin in regard to a minister in good standing. By bringing these charges, Dr. J. alleges, impliedly, that he has been injured, either *personally*, or as *one of the Christian community*. If *not* injured in one of these senses, there could have been no justifiable pretence for bringing them. *If* injured, he was bound to go and tell his fault to the offending brother, and endeavor to recover him from his errors. But this was not done. No interview was sought. No explanation was asked. No fraternal admonition was addressed suggesting error, and injury to the cause of truth. *Nothing* was done until the charges were fully made out, and ready to be prosecuted; and *all* that was then done was a letter apprising me of that fact. This letter is in the following words.

LAFAYETTE COLLEGE, March 16th, 1835.

Rev. and Dear Sir,—In your Notes on the Epistle to the Romans, there are doctrines set forth, which, in my humble opinion, are contrary to the standards of the Presbyterian Church and to the word of God.

It also appears to me, and has long so appeared, that these, and certain affiliated doctrines, have been the chief causes of the unhappy distractions over which we all mourn.

A third opinion, operating to the production of this communication, is, that peace and union in evangelical effort, cannot take place, so long as these important doctrinal points remain unsettled; and that, therefore, all the friends of such union and peace ought to desire their final adjustment by the proper judicatories of the church. It is certainly true that many have wished to see them brought up, fairly and legally, before the proper tribunals, unconnected with mere questions of ecclesiastical policy, and without any admixture of personal or congregational feelings. Regret has often been expressed by many, and by myself among others, that the Presbytery of Philadelphia had not, at the outset, instituted process against yourself instead of the course they pursued. I am sure, however, they did what they thought for the best. It is much easier to find fault after a measure has been put into operation than to foresee its defects and prevent them.

Now, dear Brother, your recent publication has re-opened the door, and, unworthy as I am and incompetant to the solemn duty, yet duty I feel it to be to enter it; and by an open, fair, candid and Christian prosecution of the case, to bring out a formal and legal decision of your Presbytery on the points alluded to. I therefore intend, *Do volente*, to prefer charges against you, founded solely upon your Notes on Romans and referring to no other evidence for their support, than what shall be deduced from that book.

In prosecuting these charges, I hope I shall be enabled to act with gravity, solemnity, brotherly affection and all the respect due to a court of Jesus Christ. The object is peace through union in the TRUTH; and I hope the God of Truth and Peace will direct us to a happy issue. Most conscientiously do I believe that you have fallen into dangerous error. I feel that *your* doctrine shakes the foundation of my personal hopes for eternity. If *it* be true, then I cannot "read my title clear, to mansions in the skies." Around the discussion of a subject so solemn, I cannot doubt, the Son of God will throw a hallowed influence, which will call up feelings very different from those, that too often agitate ecclesiastical bodies, where principles of minor consequence acquire exciting power from adventitious circumstances.

May I now ask of you the favor to transmit to Mr. Henry McKeen's, No. 142 Market street, a note, with responses to tee following queries, viz.:—1. Will you admit the Notes on Romans, bearing your name, to be your own production, and save me the trouble of proving it? 2. Will you waive the constitutional right of ten days, &c., [Book pp. 396–402,] and so let the case come up and pass through the Presbytery with as little delay as possible; provided I furnish you with a copy of the charges at least that number of days beforehand?

To these postulates I can see no reasonable objections on your part, and presume there will be none.

A friend of mine will receive your reply and dispose of it agreeably to arrangements already made; and will also inform me of the time and place of the Presbytery's meeting.

Your brother in the Lord,

GEO. JUNKIN.

Of this conduct I have a right to complain as a departure from the express authority of Christ; as preventing the possibility of conference and explanation; as giving unchristian publicity to charges and accusations tending to injure my character, and usefulness, without the possibility of meeting it *in the precise spot* where Jesus Christ contemplated that such accusations should be met; and as depriving me of that protection and defence which *at this point* the Savior has appointed for all his professed followers, and all his ministers.

A third circumstance, not less remarkable, is, that even when the charges had been brought, no charge of *crime* was alleged, nor even of *heresy*. The Book of Discipline of the Presbyterian church, proceeds on the supposition that a minister can be arraigned only for crime or heresy. ch. v. s. 4, 5, 6, 11. It never contemplates that suspicions may be breathed, or published against the character of a minister unless some one shall undertake to make out a specific *offence*, or *crime;* never supposes that that character may be held up as a matter of convenience in reference to which theological difficulties may be discussed and settled. His character is supposed to be sacred:

and as in all other cases, he is to be held innocent until he is proved to be guilty.

Yet in this instance, Dr. J. alleged neither crime nor heresy. Though in his letter to me, he charged me as holding opinions that, if true, took away his personal hopes of heaven—that is, in effect, with teaching doctrines that would destroy the soul of a minister forever in hell, yet he brought no charge of crime or heresy. From *some* cause there was a reluctance to give these charges a name. When a man is accused before a civil tribunal, it is indispensable that the crime be specified in the indictment. If murder be the crime charged, it is indispensable that it be legally denominated; if an assault, that it be specified; if treason, that there be no shrinking from the name. Yet in these charges there was no specific offence charged. It was neither crime nor heresy of which I was accused. Nor was it until after much delay, nor until there was a prospect that the presbytery would not proceed to a trial on charges so vague, that Dr. J. declared that he regarded the charges as substantially charges of HERESY. *Why* there was this shrinking from specifying the intended nature of the charge, has never been explained. It has thrown an air of mystery over all this transaction, which it is difficult to reconcile with the principles of the New Testament, and with the requirements of the Presbyterian church in regard to the character of its ministers.

The Notes on the Epistle to the Romans, against which these charges are alleged, were written in pursuance of a plan formed several years since. That plan was, to prepare a brief explanation of the New Testament in a style and manner adapted to popular use, and especially to the wants of Bible Classes and Sabbath Schools. The want of such a book was every where deeply felt, and it became apparent, that this want must, from some quarter, be supplied. The demand was supposed to be, not of a work deeply learned, and profound; not stating the critical process by which the meaning of the Sacred Scriptures is arrived at, but the *results* of such an investigation; and such heads of practical remarks as might furnish topics of useful illustration to be enlarged on at pleasure by instructers in Sunday Schools and Bible Classes. A part of that plan was executed in the publication of "Notes on the Gospels"; and although I felt deeply that there were many defects in the execution, yet the consciousness that such a work was demanded, that I might be contributing in some degree to form the views of the rising generation to just views of the oracles of God, encouraged me in my work. Amidst the anxious cares and responsi-

bilities of an important pastoral charge, the work was prepared for the press; and the favorable reception of that portion of the work by the Christian public, favorable beyond my most sanguine expectations, shewed how much such a work was demanded, and how ready the Christian churches were to avail themselves of any effort, however humble, to diffuse just views of the interpretation of the New Testament.

The notes on the epistle to the Romans, are a part of the same general plan; and having the same design. Their character is varied only as the nature of the subject is varied, and as the difficulties of the book required a somewhat more labored exposition. The fact, also, that, as supposed, some important erroneous views had prevailed respecting the true interpretation of the epistle, that it had been explained under the influence of erroneous philosophical opinions, required additional labor to remove the influence of that philosophy, to leave, if possible, nothing but the simple sense of the inspired writer. The primary design was not to attack any system of philosophy, or religion, but to arrive at the simple doctrines of the apostle—an object which necessarily led to some of the statements in reference to which these charges are brought.

In preparing the notes, which have given occasion to these charges of heresy, I was not ignorant that the exposition of the epistle was attended with great difficulty. It was known that this epistle had been regarded as the great *arena* of controversy, and that many different modes of interpretation had been proposed and defended with great zeal by their respective advocates. The *reasons* of this variety of interpretation, I have endeavored to state in the introduction to the "Notes," (p. ix. x).

I am not conscious of being so obstinately attached to the exposition which I have adopted as to be unwilling to be *convinced* of error, and *if* convinced, to abandon the sentiments which I have expressed. Whether the mode that will be most likely to secure a change of opinion, is that of arraigning me for the high misdemeanor of *heresy*, is the Christian mode, and the most desirable to secure such a result, I shall not now take upon myself to inquire. I may just be permitted to say, that it is not the use of hard names, and the language of reproach, that will secure the result. In this land, and in these times, a change of opinion is to be effected not by the language of authority, not by an appeal to the fathers, not by calling on us simply to listen to the voice of other times—however venerable and desirable such a deference may be in its place—but by the sober and solid exposition

of the oracles of God. Men, even in error, listen respectfully to those who attempt to *reason* with them, and to *convince* them that they are wrong; they turn instinctively away when denunciation takes the place of argument, and the cry of heresy is the substitute for a sober appeal to the understanding.

As the discussion in which we are now engaged is one that may deeply affect my character, and my ministry, and still more as it may have a material bearing on the prevalence of truth, I may be permitted to state a little more fully the principles of interpretation in which I have written these notes. These principles are stated in a summary manner in the preface

"The design has been to state, with as much brevity and simplicity as possible, the real meaning of the sacred writer; rather the *results* of critical inquiry, as far as the author had the ability and time to pursue it, than the *process* by which these results were reached. The design has been to state what appeared to the author to be the real *meaning* of the epistle, without *any* regard to any existing theological system; and without any deference to the opinions of others, farther than the respectful deference and candid examination, which are due to the opinions of the learned, the wise, and the good who have made this epistle their particular study."

In regard to this statement, I may observe, that my design was to give the true meaning of the sacred writer. I aimed to arrive at the exact sense which the apostle intended to convey. My object was not to *attack* any system of theological opinion which is now held, or which has ever been held, but to arrive at the true doctrine of the inspired writer; and that only. If in arriving at this, there is an appearance of having *attacked* any existing and prevalent opinions, I may be allowed to expect the credit of sincerity when I say, that it was from no design of waging war on those dogmas, but because it did not seem to me possible, in the existing state of theological opinion, to give the *true* exposition of the epistle, without attempting to remove that which was false; and which almost by prescription had come to be considered as the real sense of the sacred writer. He that wishes to rear an edifice that shall be permanent, is under a necessity of removing any obstruction that may lie in his way. It will be observed that in the statement which I have made of the *principles* on which I am to interpret the sacred writers, I do not claim infallibility; nor exemption from the common infirmities of human nature; I do not assume that I am free from all prejudice, or bias; nor do I intend to speak with disparagement of the opinions of the wise and good of other times. I simply say that "*my design* has been to state what appeared to me to be the real *meaning* of the epistle, without any regard to

any existing theological system, and without any deference to the opinions of others, *further than the respectful deference and candid examination which are due to the opinions of the learned, the wise, and the good who have made this epistle their particular study.*"

It was, further, my intention, in preparing those notes, not to be influenced in the interpretation by a regard to any creed, or confession of faith, whatever. I make this frank avowal, because it is the deliberate and settled purpose of my mind; and because it is the principle by which I expect always to be governed. I therefore state, that, in preparing these notes, I have never had the Westminster confession of faith before me, nor any other confession; I have never framed a sentence, to the best of my recollection, with any design that it should be conformed to the doctrines of any confession of faith; nor have I ever framed a sentence with any desire or intention that it should in any way depart from any such confession. I have not made any such confession of faith the *rule* of interpretation; but have all along endeavored to ascertain, if I could, what was the mind of the Spirit of inspiration. That from this rule I have never unconsciously departed, would be to assume a freedom from bias, and from the prejudice of opinion, to which I by no means lay claim, and which would be more than human. That I am exempt from the secret influence of long-cherished opinions, would be to lay claim to what my knowledge of human nature forbids me to think possible; and which would be abundantly refuted and rebuked by what I know of the proneness of my own mind to err. I speak now of the *rule;* not of the conscious imperfection of the execution. My meaning is, that I regard the Bible, with the usual auxiliary helps arising from philology, criticism, archæology, history, and the principles of common sense, in explaining language, as designed to be interpreted, without any aid to be drawn from any previously cherished opinions of men. I mean, that the *mould* should not be first formed, and then the system run into it; that the masses of truth of the sacred Scriptures should not be chiselled to make them conform to any previously cherished views of what the model of truth should be.

It is not necessary, I presume, to say any thing in defence of this principle of interpretation. It is the common, the universal principle, laid down in the books; and, I doubt not, the principle acted on as honestly by those who differ from me in opinion, as by myself. No man can be qualified to be an interpreter of the Bible, or of any other book, except as he endeavors to act on this simple and obvious rule.

Neither by authority, by tradition, nor by the apprehension of heresy, is a man to be deterred from the application of this principle; and the moment a different rule is acted on, in fact or in form, that moment the authority of the Bible, as the original fountain of truth, as "the only infallible rule of faith and practice," ceases. That this is the doctrine of the Presbyterian church, cannot be doubted. Thus in the form of government it is said that "the Holy Scriptures are the only rule of faith and manners." Ob. 1, 37. Again: In the service of ordination and licensure, the candidate is required to declare his belief that "the Scriptures of the Old and New Testaments are the word of God, the ONLY infallible rule of faith and practice."—Ch. xv. 37. And in the large Cat. Q. 3—"The Scriptures of the Old and New Testaments are the word of God, the only rule of faite and obedience."

I may here be permitted to state, that I am no enemy of creeds and confessions of faith. Never have I penned a sentence against them; and no man has ever heard me speak in their disparagement, or condemnation. In my humble way, and whenever an opportunity has been presented, I have advocated their use. I have regarded them as not inconsistent with the spirit of the New Testament; as of vlaue to express the agreement of Christians organized into the same body; to acquaint the world with their sense of the doctrines of the Scriptures, and to apprise others of the opinions which they will be expected to hold, if they become members of that communion; as in fact existing in *all* churches, either in a written or unwritten form; and as of service in aiding in the defence and extension of the truth. A passage in my sermon on "the way of salvation," which has been often referred to, has been as often misunderstood. In that passage, it is declared, that "the great principle on which the author supposes the truths of religion are to be preached, and on which he endeavors to act, is, that the Bible is to be interpreted by all the honest helps within the reach of the preacher, and then proclaimed *as it is*—let it lead where it will, *within* or *without* the circumference of any arrangement of doctrines. He is supposed to be responsible not at all for its imping on any theological system; nor is he to be cramped by any framework of faith that has been reared around the Bible." In this passage it was never intended to discard, or undervalue creeds in their proper place. It was designed only to assert a great principle of interpretation; that the Bible is to be interpreted, not by reference to such creeds, but by those canons which regard it as the original fountain of truth; that its

meaning is to be ascertained by honest industry, and humble prayer; and that its heavenly truth is not to be adulterated by any impure mixture; or frittered away by any softening down of its high doctrines; or accommodated to the opinions of men, however high or venerable those opinions may be; or modified by any human system, however ancient, or excellent; and that those truths are to be preached, not because they coincide with a theological system, but because they are the truth of God. And I here take the liberty of affirming before my presbytery, and once for all, that I never have doubted the propriety of creeds and confessions of faith in the church. And I also maintain, that, where a man finds his views of truth to be at variance with the "*system* of doctrines" in the church of which he is a member, so as to be in fact another "system," he is bound in common honesty to leave its communion, and to seek to spread those doctrines in other connexions, or in an independent ministry. What will constitute such a departure; what will be a fair interpretation of the confession itself; and how far this is to depend on his own judgment, is an inquiry which it is not needful here to attempt to investigate.

In the exposition of this epistle, I have made it an object to avoid the use of some technical words which have been long employed in theology, and which have usually been deemed valuable in the interpretation of the epistle to the Romans. And it is to be presumed, as I shall endeavor to show, that no small part of the charges of error and heresy which have been made against the book, have arisen from this circumstance. Had I retained *language* which has been almost consecrated for ages in the exposition of the epistle, it is to be presumed that the voice of alarm would not have been heard, and that these charges would have never been brought against me. The course which I have pursued, was adopted for the following reasons: (1.) My main design was to express the meaning of the apostle, and not to give currency, or permanency, to the technicalities of theology. That belongs to departments of theological instruction which I have not undertaken. (2.) I was writing chiefly for the young, and the uneducated; and it was supposed that those technical terms and phrases would not convey to them the knowledge of the apostle's meaning, so well as plainer language. Common minds are little accustomed to the technical terms of art or science; and to most young persons, such terms might require a more labored exposition than the language of which they might be a professed exposition. In conveying my ideas to children and youth, I conceived that I could employ terms more

direct and intelligible than those which belong to the profession of divinity, and which are appropriate to a chair of didactic or polemic theology. (3.) The words themselves are the subject of controversy. Their meaning is not yet settled. As I shall have occasion yet to show, the terms *guilt*, *imputation*, *representation*, *covenant-head*, *federal-head*, &c. convey to one class of men, one idea; to another, another: to one, it may be a correct idea of the doctrine of the apostle; to a second, an erroneous idea; and to a third, no idea at all. They have been employed, as it seems to me, on the one hand, to sustain false and erroneous views of the meaning of Paul; and on the other, have furnished occasion to the sinner for his continuance in sin, and a plea for his self-justification; and it appeared to me undesirable to make use of those terms in an exposition designed for Sunday schools and Bible classes. (4.) It appeared to me that an unfounded philosophical theory had been attached to many parts of this epistle, and that those technical terms had arisen from that theory, and were still insisted on by many to give it countenance. As, in explaining the epistle, it became necessary to show, as well as I was able, that that theory was unfounded, and embarrassed the interpretation, it seemed desirable to employ language which did not pre-suppose the theory, and which could be understood by the common mind. Whether I have acted wisely in this, it is now for the presbytery to inquire.

Before proceeding to the direct consideration of the charges alleged against me, I may be permitted to make a remark on my views of the standards of the church to which we belong. I have already expressed my belief of the utility of creeds, or articles of faith. Of the confession of faith of the Westminster Assembly, I may be allowed to say, that when I expressed my assent to it as a "system of doctrines," I did it cordially, and that I have never had occasion to regret the act. I then regarded it as I do now, and ever have done, as the best summary of the doctrines of the Bible which I have seen, and as expressing my views of the true scheme of Christian theology in a manner far better than any other articles of faith which I have ever examined. The *system of truth* contained there, as distinguished from all other systems—the Socinian, the Pelagian, the Arian, the Arminian, &c.—has appeared to me to be the true system; and without hesitation, or fluctuation, I have received it. I have not forgotten, however, that nearly two hundred years have elapsed since it was formed; that language often varies its meaning; and that views of philosophy, which insensibly insinuate themselves into theology, seldom continue the same

for two hundred years. I have thought that there was, perhaps, somewhat too much of harshness, and severity of language, in the general cast of that confession; and that a few expressions do not convey, without much labored exposition, the meaning of the Sacred Scriptures. To a few of those expressions, small in number, and not affecting the *system* as a system, I have always taken the exceptions which others have been allowed to do. My views have not been disguised, neither before, at the time, nor since my licensure and ordination.

I have not changed my views materially since I was licensed to preach the gospel. In the Theological Seminary at Princeton, my views, which were the same as now, were fully known. By the presbytery of New Brunswick, by which I was licensed, they were, or might have been, fully known; and had those sentiments been of the dangerous character which these charges suppose, it was to be presumed that the venerable fathers and brethren of that presbytery would have admonished me to pause, and have refused me their sanction as a preacher of the gospel. The "system of doctrines" contained in the standards, I received as a system. I received it, not indeed ever expressing my assent to *every* expression and form of expression; not to be interpreted by one or more persons in the church who might assert the *authority* to interpret it for all their brethren, and who might modestly presume that none but themselves were competent to understand language; not to be explained by the traditions of the elders—but as reserving to myself the right, in common with all others, of examining the language, and forming an opinion, under proper responsibilities, of its meaning. The reasons for adopting it, with this understanding, will appear presently.

The question which this presbytery is now called on to decide, is, whether the views which are expressed in these Notes are any longer to be tolerated in the Presbyterian church in the United States; whether a man who held them at the time of his licensure, and ordination; who has held and preached them for ten years; and who holds them in common with no small part of the more than two thousand ministers in our connexion, is to be allowed peaceably to hold them still, and to labor, under the influence of these views, in endeavoring to save souls; or whether he is to be pronounced heretical and unsound; his character to be ruined, so far as a decision of his brethren can ruin it; himself to be harrassed in his feelings, and embarrassed in his preaching; and the large number of ministers, and elders, and communicants in the churches who hold the same

views, declared to be unworthy an office, a name, and a place in the church of God.

That the statement of the question now before the presbytery is not made in too strong language is apparent from the following considerations. (1) The prosecutor himself has expressed a similar view of the nature of his charges. He has alleged in his letter to the presbytery and to myself, that these doctrines *shake the foundation of his personal hopes for eternity; and that if they are true he cannot read his title clear to mansions in the skies.* There can be no more serious charge against a minister of the gospel, than that he teaches doctrines which take away a man's hope of heaven; that his opinions tend to unsettle the title to eternal rest; that his instructions tend to beguile, and destroy the souls of men; and that instead of saving them, according to the high design of his office, he is leading them down to destruction and perdition. When a minister of the gospel is charged with inculcating sentiments that destroy the hope of heaven, the highest point of accusation against his ministerial character is reached: and if true, he is unfit to be a guide to the souls of men. (2.) A minister of the gospel will not take upon himself the task of bringing charges against another, unless he believes them to be of a very serious and alarming nature. He is aware that he makes himself liable to be censured as a slanderer of the gospel ministry (Book of Dis. ch. v. s. 7.); he is aware that his own character must suffer if they are not sustained; and he cannot but be aware, that in thus bringing charges, he is producing agitation, alarm and suspicion; that he is disturbing the peace of the churches; and, what is of not less importance, that he is laying a tax on the time and patience of those who are called to investigate the charges. It involves no common responsibility to call a presbytery from the direct work of saving souls to engage in the strifes of public discussion. A man who regards his own character will not bring charges against a minister of the gospel until he feels that the heresy is so great that all these hazards are to be met; nor until he feels that the benefit to his cause is likely to be a compensation for all the great and acknowledged mischiefs which the very act of bringing charges of this nature must produce. (3.) If it should be said, that the purpose of thus bringing charges was to discuss certain abstract doctrines; to obtain a judicial decision on the *propositions* rather than on the *man;* to ascertain the truth, and to settle a controversy, rather than to impeach the character of a minister, then I reply, that if this was the design, it should have been so stated. A proposal should have been submitted to the presbytery

to organize itself into a court of judges, on a trial of skill in controversy, and the propositions should have been submitted for discussion ; and charges should not have been brought against a minister of the gospel. But this could not have been the design. When a man is *arraigned* on specific charges, it is not for *discussion,* it is for *crime.* It is to bring *him* to a trial for an *offence;* and I utterly deny the *right* of any man to arraign *me* before a court, merely to make me the occasion for a *discussion* of an abstract doctrine, in theology, politics, or morals. Two civilians may agree to discuss before a moot court, the abstract question of the precise nature of the crime of murder ; or larceny ; to examine the authorities, to determine what constitutes malice prepense, or what would be proper evidence of the fact of theft, and all would be well. But when one of them goes before a grand jury, and charges the other with the malice prepense and the act of larceny, the case is materially changed. It becomes then not a moot question, but a serious business involving character, happiness, or life. Suppose that Dr. Junkin had arraigned me before a court having competent jurisdiction, on a charge of adultery. Suppose that the fact was proclaimed abroad, and suspicions were excited, and counsel was employed, and a jury impannelled. Suppose the public mind had had time to be agitated on the subject, and a strong bias should set against my character, and peace should flee from my family, and my public work should be closed. And *then* suppose that the public should be gravely told that all this was not designed to injure *me,* but to settle certain mooted points about the crime in question; and that all this array of indictment, and of testimony, and of trial, had been merely designed to bring up the subject before a tribunal in order to obtain a decision on the law. And would it be possible for the community to repress its indignation against conduct like this? And yet how would this differ from the act of formally bringing charges of *heresy* against a minister, and publishing them abroad, and exciting suspicions, and using all the influence of the name of the accuser to destroy ministerial character, and then gravely saying that all this is designed merely to settle *some litigated question in theology?* Yet this is evidently the object aimed at professedly in the charges of Dr. Junkin. Thus he says, in his letter, that "peace and union in evangelical effort cannot take place as long as these important doctrinal points remain unsettled, and that therefore all the friends of such union and peace ought to desire the final adjustment," &c. that "many wished to see them," that is *those doctrinal points,* "brought up fairly and legally before the pro-

per tribunals," &c. "Now, dear brother," he adds, "your recent publication has re-opened the door," that is, *for discussing those points*, "and unworthy as I am, and incompetent to the solemn duty, yet duty I feel it to be to enter it, and by an open, fair, candid, and christian prosecution of the case, to bring out a formal and legal decision of your presbytery ON THE POINTS ALLUDED TO," that is, to settle certain abstract mooted doctrines. "I therefore intend," he adds, "to prefer charges against you," that is, to hold me up as a convenient *starting point*, to sacrifice my time, and strength, and lacerate my feelings, and obstruct my work, if I understand it, to give convenient *occasion* for the discussion and decision of certain abstract doctrines before the ecclesiastical tribunals. Against this claim, I lift up the voice of remonstrance, as a violation of the rights which every man has. No man has a right to *arraign* me to give him the occasion to display his talent, or eloquence, or learning, in a moot question of theology. The moment charges are tabled against a minister, the whole subject assumes a character involving reputation, integrity, and usefulness. It is not then a business of *abstraction*, it is an affair of *crime*.

The *extent* of the matter at issue, at any time, is to be judged of by an examination of the charges. In this case, the specifications are ten in number, in each one of which there is charged a violation of the confession of faith, and of the doctrines of the Bible. In each one of which there is a separate and solemn specification of violation of ordination vows; and of unfaithfulness to the high trust reposed in a minister of the gospel. The *aggregate* of *ten* such instances of a violation of ordination vows, if true, must affect, and must be *designed* to affect, a man's character for life; and such as to draw on him the sentence of disqualification for the office which he holds.

After these preliminary observations, whose length it is hoped will be excused by the circumstances of the case, I proceed to the main inquiry, whether the sentiments which I have taught are to be tolerated in the Presbyterian church?

There are two points before the presbytery to be considered. One is, whether the "charges" now alleged, express the true sense of the book against which they are brought; and the other is, whether if they do, the sentiments themselves are contrary to the Scriptures and the confession of faith. This remark is of importance, because, whatever may be my belief on the points referred to, if the charges do not express the sense of the book, and are not sustained by this, they cannot be sustained. My real belief I do not hesitate at any time to avow; but the presbytery

is now concerned with that only, so far as that belief is expressed in the notes on the epistle to the Romans. Against several of the charges under consideration, I shall urge this plea, that they accuse me of sentiments which are by no means advanced in the book before us. In regard to the others, I shall endeavor to show that they express the true sense of the Bible according to the best means which I have of interpreting it; and that they are not a departure from the standards of the church.

And here a very important inquiry meets us, *What are the standards of the church;* and what principles are to guide the presbytery in determining whether these sentiments are, or are not in accordance with those standards? Do those standards consist in the confession of faith, and the catechisms to be interpreted with the utmost strictness, in every phrase and expression? Do they require assent to every shade of doctrine, and to every word, as if they were infallible? Are they to be interpreted according to the views of any one, or any number of self-constituted expounders of the law, who claim *their* interpretation to be "the only infallible rule of faith and practice?" Are we to rely on the tradition of the elders, and ask how our fathers understood them? Or are we to interpret them as we interpret all other writings, by the acknowledged use of language; by the common sense of men; by our own views of the meaning of words; and by that obvious latitude in regard to certain expressions, not affecting the *essential* features of the system, which seems indispensable in an uninspired composition embracing so many particulars, and so many profound doctrines, and so much that pertains to the philosophy of mind, as the confession of faith?

The following circumstances may perhaps lead us to just views of the question *what are the standards*, and *whether these sentiments are to be tolerated any longer in the Presbyterian Church?*

(1.) At our ordination we express our assent to the confession of faith "as containing the SYSTEM *of doctrines* taught in the Holy Scriptures." What is the obvious import of these expressions? Is it not that the holy scriptures are to be regarded as the original source of truth; the "ONLY infallible rule of faith and practice"? To this we express our solemn assent at our ordination. Form of Gov. ch. xv. 3-12. The phrase, *system* of doctrine is evidently a qualifying phrase, meaning that the *Animus im ponentis* is that the confession is to be regarded as the arrangement which expresses the general sense of the sacred scriptures. A *system* is "an assemblage of things adjusted as a whole plan or scheme, con-

sisting of many parts connected in such a manner as to create a chain of mutual dependencies."—*Webster.* We speak of a *system* of logic; a *system* of astronomy; a *system* of philosophy; a *system* of botany, chemistry, morality, government, &c. In this we mean to distinguish one arrangement of doctrines on these subjects from another—not to express our unqualified assent to every feature, and every particular in the system. We express our assent to the *system* which we embrace, as distinguished from some other *system.* A man who embraces the Linnæan system of botany, as preferable to another system, is not precluded from expressing his dissent from the propriety of the classification of some of the plants which may be enumerated. The *system* may be maintained as a system, while the propriety of certain minute arrangements may be doubted. A man who embraces the Copernican system of astronomy in preference to the Ptolemaic, may have doubts about some of the minute statements in regard to the system, while still its great and distinguishing features shall be maintained. To deny this, would be to repress all investigation, and to give to the system the idea of infallibility.

So also in the doctrines of religion. To embrace the "*system* of doctrines" in the confession of faith, must mean to denote the embracing of that system as distinguished from the Socinian, the Arian, the Pelagian, the Arminian. If this was not the meaning, the term *system* would never have been inserted. And to deny this, is to suppose that the confession is invested with infallibility, and occupies the place of the scriptures as a rule of faith and practice.

(2.) The "system of doctrine in the confession of faith, is undoubtedly embraced by those who adhere to the substantial or essential nature of those doctrines, but who may in some unimportant points differ as to the modes of explanation. For example, men may agree in the *fact* of the doctrine of the Trinity in opposition to the doctrines of the Socinian, and Sabellian, who may yet not be able to subscribe to every word in the Athanasian creed. They may agree in the fact of the doctrine of the vicarious sufferings of Christ in opposition to the Unitarian, and yet one may adhere to the quid pro quo, or Gethsemane view; a second may adopt the idea of the infinite *value* of the atonement; a third may hold that it was originally *applicable* to one man as much as another, and a fourth may hold that it was *designed* for all. In the same way, men may agree in the substantial *facts* respecting the introduction of sin into the world, stated in the Calvinistic plan, in opposition to the views of the Pelagian, or the Unitarian,

and yet differ as to a philosophical explanation. All may agree that it was by the sin of one man; that his sin secured their fall and ruin; that in virtue of the connexion with him all come into the world subject to sin and woe, and death, and that all this is in accordance with a divine arrangement. And yet one may suppose that this is to be explained on the theory that all were one with Adam, and that there was a personal identity between them and him; another, that he acted as their representative and that thus, though personally blameless, his sin is charged on them; and a third that neither of these theories explain, but rather embarrass the subject, and that it is wise to be contented with the simple *facts* as they are presented in the scriptures, and in the world. Now while the *facts* in the case which are essential to the "*system* of doctrine" are held, who shall assume that *his* explanation is the only one possible, and that the others are to be deemed heretical? Whether the main, or essential *facts* in the case have been adhered to, or departed from, is for the Presbytery to decide in all cases of licensure or ordination; and no man, or set of men, have a right to assume that all orthodoxy is with them; all heresy with others.

(3.) It is impossible, in the nature of the case, to secure entire and perfect uniformity in every minute article of doctrine in a book so large as our confession of faith, and in a church so large as ours. We embrace in our communion more than two thousand ordained and licensed preachers, and two hundred and thirty thousand communicants. The confession of faith, and catechisms of the church profess to go over the whole ground of Christian doctrine and duties. The doctrines are expressed in form and language purely human; and often, from the very nature of the case, intermingled with philosophical views which were prevalent when the confession was framed. In a book like the Bible, where all is inspired, perfect uniformity in regard to professed belief must be maintained. In the Roman Catholic communion, where the *head* professes to think for all its members, and where all is settled by authority, such a uniformity might, with more shew of reason, be expected. But in the Protestant churches, where it is the birthright of every minister and member to think for himself, and where thought and investigation *must* be free, no such thing is practicable. If any man has ever cherished the hope that a quarter of a million of minds in one generation could be made to think just alike on the various, and multitudinous subjects in our standards; that every one of those minds must be adjusted on this bed of Procrustes, and that this process can be kept up to meet the advancing millions of

coming generations who shall adopt the confession, he has sadly mistaken the nature of mind, and the spirit of the age in which he lives. And while, from the nature of the case, it is impossible but that there should be *some* differences of opinion, it is for the church to declare, in a constitutional manner, what shall be regarded as a departure from the *essential* doctrines of the confession, and shall deserve deposition or excommunication.

4. That the Presbyterian church in this country, did not contemplate in its organization any such literal, and exact uniformity of opinion, is apparent from the difference in the terms of subscription here, and in the church in Scotland from which, according to the Biblical Repertory, "by far the greater portion of our rules and habits are derived." In our church we express assent to the '*System of doctrine*' therein contained. In the Scottish church every licenciate is required to give his assent to "the *whole* doctrine contained in the confession," and "to disown all other doctrines, and tenets, and *opinions* whatsoever, contrary to, or inconsistent with the foresaid confession." This is the kind of subscription which is contended for in our church; but which, it is evident, our Standards did not intend to require. That this interpretation is correct, is manifest from the fact that the Presbyterian church has made a difference in the ordinary assent of licentiates and ordained ministers to the confession, and the Subscription required by the Professors in our Theological Seminaries. In the latter every Professor is required solemnly to promise that he will "not inculcate, teach, or insinuate *any thing* which shall appear to him to contradict or contravene, either *directly* or *impliedly*, ANY THING taught in the confession of Faith or catechisms." Minutes of Genl. Assy. 1811. This great particularity and exactness would not have been required, if it had been supposed that *this* point had been sufficiently secured by the fact of their having adopted the confession as containing the 'System of doctrine' at their ordination. The fact that *this* office is so strongly and minutely guarded, shows that greater latitude and liberty are contemplated among the ordinary ministers of the gospel, and members of the churches.

5. The same thing is put beyond all possibility of controversy, by the "Proviso" which was adopted in the Synodical act, when the Westminster confession and catechisms were received as the Standards of the Presbyterian church. That act was passed by the Synod in 1729, and the Proviso is in the following words viz:

"And in case any minister of the Synod, or any candidate for the ministry shall have any scruple, with respect to any article, or articles of said confession; he shall in time of making said declaration, declare his scruples to the Synod or presbytery; who shall notwithstanding, admit him to the exercise of the ministry within our bounds, and to ministerial communion if the Synod or presbytery, shall judge his scruples not *essential*, or *necessary* in doctrine, worship, or government."

The act of the Synod was the basis of the union in 1758; and this Proviso has never been withdrawn, or repealed; and is in fact *an essential part of the Standards of the Presbyterian church*. In that article, provision is made for a difference of opinion which may be known, and admitted, and tolerated in the Presbyteries, where that difference does not amount to a denial of what is "*essential or necessary in doctrine, worship, or government.*" It is the inalienable privilege and right of each and every presbytery to judge in this matter; and this right is secured no less by the constitution of the church, than by the word of God. Whether I, since my ordination, have violated the principles of this "proviso" is for this Presbytery to judge.

6. The views of the Presbyterian church on this subject; and the proper interpretation of the Standards, may be known from the uniform practice under the constitution, for more than a century. I refer here for proof to the following circumstances: [*a*] The known character of the men who in 1729 composed the Synod, that adopted the Westminster confession and catechisms with the proviso. The very fact that such a proviso was then adopted, shows that there was a difference of opinion on *some* points among the the ministers of that time. It is inconceivable that such an article should ever have been thought of, unless there were some ministers, or presbytries, that cherished differences of opinion in regard to the meaning of the articles. [*b*] The same thing is apparent, and well known in regard to the men who composed the Synods in 1758. The act of 1729 was the basis of that union; and among the men of that time there were material, though not essential differences of opinion on the doctrines of the church. [*c*] The same thing is expressly stated to have been the practice in the time of President Davies. "We allowed" says he "the candidate to maintain his objections against ANY PART of the confession, and the judicatures judged whether the articles objected to were ESSENTIAL TO CHRISTIANITY; and if they judged they were not, they would admit the candidate, notwithstanding his objections."* Here it is evident, that a very wide latitude

* Christian Spectator March 1835.

was given in the admission of candidates to licensure and ordination. Nothing which was not deemed "essential to christianity" was regarded as sufficient to exclude him;—a latitude of interpretation certainly quite as wide as has ever been desired, or contended for in more modern times. It shows, at least, the catholic spirit of the founders of our church; and in those times, large and liberal views had obtained in regard to the interpretation of the Standards. He is not in much danger of error, in regard to christian doctrine whose views accord with those of that illustrious and holy man. [*d*] The same thing has been evinced in the General Assembly, with a very marked uniformity. In particular, since the unhappy contentions in the church commenced in 1830, the subject has been in various ways before the assembly, and with uniform results. For four successive years, decisions were obtained, not *immediately* pertaining to the doctrines in question indeed, but of such a character as to leave no doubt in the minds of either of the parties in the church, of what the disposition of the assembly has been. Perhaps no stronger evidence of that disposition could be given than, the fact that those decisions have been perfectly satisfactory to those in the church, who have desired a liberal construction of the constitution, and *unsatisfactory* in a high degree to the other party. It is to be remembered that the *very doctrines* in substance, if not in form, have been the subject of these unhappy contentions, and of the sucessive decisions of the General Assembly. The prosecutor in this case, does not pretend that he has discovered any thing new. He even avers (in his letter) that the doctrines are the same; and that his object is to bring "*those doctrines*," unembarrassed by constitutional questions, before the assembly. It is true that those doctrines have not been brought *directly* before the assembly, and that the assembly has not formally expressed an opinion on them. But the case is now referred to [1] because it shows the strong disinclination of the assembly to make them the subject of discipline, or in other words their inclination to *allow* the usual latitude of interpretation, and [2] because in the only case where those doctrines did, in any form come before the assembly (in 1831.) the assembly decided that after the explanation which had been given, of the objectionable passages in the sermon ("the way of salvation") "the presbytery ought to have suffered the whole to pass without farther notice." Minutes vol. vii. p. 180. This case shows, that the assembly in accordance with the large and catholic spirit of the Presbyterian church from its origin in this country, is still disposed to allow a liberal construction of its articles, and to

maintain a spirit in accordance with its former history, and with the present age. For more than a century, of remarkable prosperity, that spirit has been evinced. It remains to be seen whether now, and in this presbytery, the spirit which has so long, and happily "characterized the Presbyterian church is to be arrested and a new career to be commenced under different auspices, and with a purpose to place every man on the bed of Procrustes. Hitherto in the history of man, it has been an unwise experiment to endeavor to shape man's belief by authority; to cramp the freedom of enquiry by ecclesiastical decisions; and to suppose that those decisions can long avail to breast the spirit of investigation, or to prevent large and liberal views of christian doctrine. The Presbyterian church has for more than a century, maintained a character eminently liberal and catholic. Strongly attached indeed to her doctrines, yet she has looked with an eye of kindness on those who differed from her in views, and has ever been disposed to co-operate with them in all great plans of Christian benevolence. It is a striking circumstance also, that in 1801 the General Assembly originated and proposed a plan of union designed to produce peace, in regard to the congregational churches that had been formed, and that were rapidly forming in the new settlements of this country—a plan that was cordially acceded to. Yet that plan was to introduce into the Presbyterian church if they chose to enter it, ministers, and private members trained in the schools of New England theology; holding the same views, substantially, which are now held on the subject of the atonements and of imputation, and of human ability; and for more than thirty years that plan has been acted on, to the manifest advantage of the whole Presbyterian church. I refer to it, as an instance of the large, and liberal spirit which the Presbyterian church has been disposed in all its history, until these unhappy times, to follow. A *party* in this church, in violation of its general spirit, demands that the course should be now abandoned. But the moment this is done, one bright feature of this church is obscured. It travels backward, even in the nineteenth century, towards the regions of night; and the result would be that its strength would be gone, and its beauty lost forever.

7. My views of this whole subject cannot be better expressed than in the words of the BIBLICAL REPERTORY, in an extract which I beg leave to read. (Bib. Rep. vol. iii. 521, 522, 523.

"The great dividing question is, how is the subscription or assent to our standards to be interpreted? Or with what degree of strictness is the phrase, 'system of doctrines,' as it occurs in the ordination service, to be explained? On this sub-

ject, which is one of vital importance, there are, if we do not mistake, two extremes equally to be lamented. On the one hand, there are some who seem inclined to give the phrase in question such a latitude that any one, who holds the great fundamental doctrines of the gospel, as they are recognized by all evangelical denominations, might adopt it; while on the other, some are disposed to interpret it so strictly as to make it not only involve the adoption of all the doctrines contained in the confession, but to preclude all diversity in the manner of receiving and explaining them. They are therefore disposed to regard those who do not in this sense adopt the confession of faith, and who yet remain in the church, as guilty of a great departure from moral honesty. This we think an extreme, and a mischievous one. Because it tends to the impeachment of the character of many upright men, and because its application would split the church into innumerable fragments. That it is an extreme, we think is apparent, from the following considerations: It is making the terms of subscription imply more than they literally import. Two men may, with equal sincerity, profess to believe a doctrine, or system of doctrines, and yet differ in the mode of understanding and explaining them. 2. Such a degree of uniformity never was exacted, and never has existed. The confession, as framed by the Westminster divines, was an acknowledged compromise between two classes of theologians. When adopted by the Presbyterian church in this country, it was with the distinct understanding that the mode of subscription did not imply strict uniformity of views. And from that time to this, there has been an open and avowed diversity of opinion, on many points, among those who adopted the confession of faith, without leading to the suspicion of insincerity, or dishonesty. 3. It is clearly impossible that any considerable number of men can be brought to conform so exactly in their views, as to be able to adopt such an extended formula of doctrine precisely in the same sense.

"The very terms, 'system of doctrines,' conveys a definite idea—the idea of a regular series of connected opinions, having a mutual relation, and constituting one whole. In professing to adopt the system of doctrines taught in the Sacred Scriptures, a man professes to believe the whole series of doctrines taught in that system, in opposition to every other. That is, he professes to believe the whole series of doctrines which go to make up the Calvinistic system, in opposition to the Socinian, Pelagian, Semi-Pelagian, Arminian, or any other opposite and inconsistent view of Christianity. These doctrines are clearly expressed; such as the doctrine of the Trinity, the incarnation and supreme deity of Christ, the fall and original sin, atonement, justification by faith, personal election, effectual calling, perseverance of the saints, eternal punishment of the wicked, &c. Now, every man who *ex animo* and *bona fide* believes all these doctrines, does, according to the correct interpretation of language, hold the 'system of doctrines' contained in the confession of faith. And we think, so long as this is done, we are safe. With respect to each of these several points, there are, and may safely be, various modes of statement and explanation consistent with

their sincere reception. Thus, with regard to the Trinity, some may be able to adopt every expression found in the Nicene creed, or in Bishop Bull's exposition of it, while others may feel a strong repugnance to many of its phrases, and yet adopt every idea essential to the doctrine. And thus, too, in relation to the vicarious atonement of Jesus Christ, some may adopt the strict *quid pro quo* system; others, the infinite value theory; others, that of universal applicability; and yet all hold the doctrine itself. But * * the presbytery has a right of judgment in all such cases. * * * It is their business to decide this very point, whether the candidate believes or not the doctrines of our standards, and they are under the most solemn engagements to God and the brethren to do this honestly. And here the matter must be left."

In the examination of these charges, however, it will be my object to show that there is no real departure from the system in the standards, in the Notes on the Romans. A part of those charges, I shall show, pertain merely to philosophy, a part are irrelevant, on which the confession had decided nothing; a part arise from misconstruction of my language; a part accuse me of heresy, in holding the very expressions of the Bible; a part depend on distinctions which the Bible and the confession do not make; a part consists of a statement of a doctrine which I *do* hold, and an inference which I do *not* hold, wherein the inference is charged as heretical; a part are based on my rejection of certain terms and phrases which are not in the Bible, and which are not necessary to the "system of doctrine" in the confession of faith; and a part charge me with heresy in regard to doctrines which have been held in the church from the beginning. In examining this somewhat peculiar and irregular system of charges—if they can be reduced to a system—I shall have occasion to ask the patience of the presbytery, that I may present the true nature of the case before them. I would observe here, that I have been subjected to great perplexities and embarrassment, by the *manner* in which Dr. J. has thought it his duty to bring these charges. Besides the embarrassed and undigested nature of the charges themselves, the mode in which they are presented to me is exceedingly perplexing. He first furnished the presbytery with a set of charges with reference to the pages of my book, but without *any* references to the standards of the church or the Scriptures supposed by him to be violated. This was evidently contrary to the constitution of the church, as expounded by the General Assembly in 1824 (vol. v. p. 219). He subsequently, in a private communication—not *through* the presbytery, and of course of no authority—sent me a list of references to the articles in the constitution supposed to be violated, and with references to the *book* on

account of which I am arraigned, MATERIALLY DIFFERENT from that which I had received through the presbytery. In this perplexity, the only *inference* which I could draw from the subject, was in accordance with the one which forced itself on the mind when the charges were presented, that the whole subject was undigested in Dr. J.'s mind, and unarrayed; and the only *resolution* which could be formed by me, was to adhere almost entirely to the original references which were put into my hands by the presbytery.

Charge I.

The first charge is in the following words:

"That all sin consists in voluntary action."

Proof 1st. Notes on Romans, p. 249. "In all this, and in all other sin, man is voluntary."

Proof 2d. Same work, p. 123. "There is no reason to believe that they [men] are *condemned* to eternal death, or held to be guilty of his sin [meaning Adam's sin] without participation, of their own, or without personal sin, any more than that they are approved by the work of Christ, or held to be personally deserving, without embracing his offer, and receiving him as a Savior."

Proof 3d, p. 192. "They [Jacob and Esau] had *done* nothing good or bad, and where that is the case there can be no character, for character is the result of conduct.

(2) That the period of moral agency had not yet commenced."

Proof 4, p. 124. "As the work of Christ does not benefit the race unless it is embraced, so does not the reasoning of the Apostle lead us to the conclusion, that the deed of Adam does not condemn, unless there be some voluntary act on the part of each individual?"

Proof 5, p. 118. "Men will not be held guilty, unless there is a law which binds them, of which they are apprised, and which they voluntarily transgress."

That this doctrine is contrary to the standards of the Presbyterian church, will appear, by referring to Confession of Faith, chap. vi. 5. "This corruption of nature, during this life, doth remain in those that are regenerated; and although it be through Christ pardoned and mortified, yet *both itself*, and all the *motions thereof are truly and properly sin.*" 6. "Every sin, both original and actual, being a transgression of the righteous law of God, and contrary thereunto, doth in its own nature, bring guilt upon the sinner, whereby he is bound over to the wrath of God and curse of the law, and so made subject to death, with all miseries, spiritual, temporal and eternal." Lar. Cat. Ques. 27; Shorter Cat. 19, Con. ix.,

The only statements which can be supposed to have a bearing on the subject, occur on pp. 249 and 192. In the former, this passage occurs: "In all this, and in all other sin, man is voluntary. He chooses his course of evil, and God is under no obligation to *compel* him to do otherwise." In regard to this passage, I observe: [1.] That its design was not to teach any thing about the doctrine of what is com-

monly called original sin, or hereditary depravity. It has no reference to the native disposition, or tendency of our nature. Its object is simply to teach that man is *voluntary* in sin, in opposition to the doctrine that he is *compelled*. This is the manifest scope of the passage, as is evident, indeed, from the part repeated here. It occurs in a comment on ch. xi. 32: "God hath concluded them all in unbelief," &c. and the scope of the comment, which has reference not to infants, but to adults, is to show that the word "concluded" does not imply that God uses any *compulsion* to *make* them reject the gospel, but that they are *voluntary* in doing it. And in this connexion, the remark occurs, that in *all sin* man is voluntary. (2.) This is the very doctrine of the Confession of Faith; ch. ix. § 1: "God hath endued the will of man with that natural liberty, that it is neither forced, nor *by any absolute necessity of nature, determined to good or* EVIL." To maintain the very doctrine of the Confession, assuredly is not heresy. (3.) It is the undoubted doctrine of the Scriptures, that man is not *compelled* to do evil. For in the following places it is either expressly taught, or implied: 1 John iii. 4: "Sin is the transgression of the law."—James i. 13: "The Lord is not tempted with evil, neither tempteth he any man."—Deut. xxx. 19, John v. 40.—The doctrine that man is *voluntary* in sin, or is a free agent, is manifest from all the threatenings of God which forbid it, for God would not forbid that which is involuntary; from all his entreaties and commands to forsake it; from all his injunctions to choose life; and from all the motives which are presented in the Bible to induce men to abandon it. If it were *not* so, and if men were *compelled* to the course for which they are condemned and punished, it would be a violation of all our views of freedom, and of just government. No definition of tyranny could be more exact and precise than would be involved in that doctrine; and the human mind and heart, and all God's requirements and dealings even the world would revolt against it. My plea to *this* passage, therefore, is, that I *did* mean to teach that man is *voluntary* in his sin, *in opposition to the doctrine which would teach that he is compelled against his will*, and that this is the express doctrine of the Confession of Faith, of the Bible, and of common sense,

The only other passage which is supposed to sustain this charge, which has any conceivable reference to it, occurs on p. 192. The *design* or *scope* of this comment was to explain the expression in regard to Jacob and Esau: "neither having done any good or evil."—Rom. ix. 11. The object there was to show that the apostle taught that the purpose, or electing design of God, was laid antecedent to the

formation of their moral character. The affirmation of the apostle is, that they had *done* nothing good or bad. And as *character* is the result of conduct, it is supposed that the apostle meant to teach that the electing purpose of God, in regard to them, was *antecedent* to any such acts as could form a *character*, or a *basis* from their character, on the ground of which he would choose one and reject the other. This is believed still to be the correct interpretation of the passage. When it is said that the passage proves that "as yet they had no moral character," the word *character*, and the sense in which it is used, is immediately explained to mean "the result of conduct;" and the idea which is to be derived from this expression is to be interpreted by the definition which I had a right to give, and to give which, violates no article of the Confession of Faith. Whether I am right in that definition, is another question; and one which it does not fall within the province of the Presbytery to decide. I am sustained in it, however, by the common use of language among men, and by the best lexicographers. *Webster* says, "a character is not formed, when the person has not acquired stable and distinctive qualities." The idea which I wished to convey, is, that *character* is that by which a man is marked, or known, by the manifestation of some quality, disposition, or act, which serves to distinguish him from others. This idea is still supposed to be correct; and the sentiment which I wished to convey was, that the apostle taught that Jacob and Esau had not formed such a character, by *doing* any thing, ("neither having *done* any good or evil") as to be the basis of the electing purpose of God.

This idea is charged to be a violation of the doctrines of the Confession, on the subject of the native propensity of man, in the following places: Conf. ch. vi. §5, 6; Lar. Cat. Q. 27; Sh. 19; Con. ch. ix. §3, 4, x. 1, 11.

My reply to this is: (1.) That I regard the exposition, in its scope and design, as the correct one; and if so, and if it cannot be shown to be false, it cannot be heresy. (2.) A man's words and writings are, by one of the most obvious rules of interpretation, to be explained in accordance with the general scope and design. Nothing is more obviously fair and proper, in interpreting a man's language, than this rule. (3.) My remarks on this passage were designed to be confined to the *specific* case, and not to bear on other passages of Scripture which might relate to some other point of doctrine. (4.) In the *comment itself*, this design is *expressly stated*, and it is affirmed that the apostle did not make *any affirmation* about their propensity to evil, but that they had not *actually* committed sin. "This affirmation respecting Jacob and

Esau does not prove," I say, in the note on the place, "that they had not a nature inclined to evil, or a corrupt and sensual propensity; or that they would not sin as soon as they became moral agents. It proves merely that they had not yet committed *actual* sin." (5.) In this passage, I have taught the very doctrine of the Confession of Faith, on the subject of man's propensity, or tendency to evil, or what in the Confession is called "original corruption." Thus, p. 192, it is said, "That they, as well as all others, *would* certainly sin as soon as they committed moral acts at all, is proved every where in the sacred Scriptures." It is, therefore, a most unhappy reference to *this* place, to prove the charge which is now alleged against me. (6.) The opinions of an author can be best learned, by a comparison of one part of his book with another; and to make such a comparison is conceded one of the common laws of exegesis in explaining the Bible, and all other books. In accordance with the views expressed in the case of Jacob and Esau, that "they *would sin* as soon as they committed moral acts at all," I refer to the following places, as being an explanation, and confirmation of that view, almost in the very words of the Confession of Faith, pp. 122, 123. In like manner—"*though men are indubitably affected by the sin of Adam, as e. g. by being born with a corrupt disposition; with loss of righteousness, with subjection to pain and wo*, yet there is no evidence," &c. P. 101: "Since *human nature was depraved*, and men *prone to sin*," &c. P. 117: "The apostle does not, in this expression, *say* that all have sinned in Adam, or that *their nature has become corrupt, which is true*," &c.

The plea which I therefore urge, in regard to this charge, is, that in the passages referred to, I have given a correct interpretation of the apostle's meaning, and that, in doing so, I have maintained precisely, and almost *totidem verbis*, the doctrines of the Confession of Faith.

I might add to this, that whatever may be the truth on the subject, it is a mere metaphysical inquiry, which the Confession of Faith it is not to be presumed to have settled; and which it certainly has not attempted to determine. And even had there been any views expressed on the subject, on one side or on the other, to hold or deny them cannot be construed into the high crime of heresy.

Whatever ground of objection there might be *supposed* to exist to the passages as they originally stood in the Notes on Romans, arising from any ambiguity of phrase, it is believed that the cause is now removed, by a change in the phraseology which has

been made in the new edition. The passage now reads thus: "This is a very important passage in regard to the question about the purposes of God. (1.) They had *done* nothing good or bad, and where that is the case, there can be, properly speaking, no moral character, for a character is not formed, where a person has not acquired stable and distinctive qualities."—*Webster.*

Charge II.

The second charge is in these words:

"That Adam (before and after his fall) was ignorant of his moral relations to such a degree, that he did not know the consequences of his sin would or should reach any further, than to natural death."

Proof 1. Note, p. 115. "If an inquiry be made here, how *Adam* would understand this, [the threatening of death;] I reply that we have no reason to think he would understand it as referring to any thing more than the loss of life as an expression of the displeasure of God. Moses does not intimate that he was learned in the nature of laws and penalties, and his narrative would lead us to suppose that this was all that would occur to Adam. And indeed there is the highest evidence the case admits of, that this was his understanding of it. For in the account of the *infliction* of the penalty, *after* the law was violated, in God's own interpretation of it, in Gen. iii. 19, there is still *no* reference to any thing further. "Dust thou art and unto dust thou shalt return." Now it is incredible that Adam should have understood this as referring to what has been called "spiritual death" and to "eternal death," when neither in the threatening, nor in the account of the infliction of the sentence, is there the slightest recorded reference to it. Men have done great injury in the cause of correct interpretation, by carrying their notions of doctrinal subjects to the explanation of words and phrases in the Old Testament. They have usually described Adam as endowed with all the refinement, and possessed of all the knowledge, and adorned with all the metaphysical acumen and subtlety of a modern theologian. They have deemed him qualified, in the very infancy of the world, to understand and discuss questions which, under all the light of the Christian revelation, still perplex and embarrass the human mind. After these accounts of the endowments of Adam, which occupy so large a space in the books of theology, one is surprised, on opening the Bible, to find how unlike all this is to the simple statement in Genesis. And the wonder cannot be suppressed that men should describe the obvious *infancy* of the race as superior to its highest advancement; or that the *first* man, just created, just looking upon a world of wonders, unacquainted with law, and moral relations, and the effect of transgression, should be represented as endowed with knowledge which four thousand years afterwards it required the advent of the Son of God to communicate."

How contrary is all this to the standards of the Presbyterian church will appear, by referring to Con. chap. iv. 2; Lar. Cat. 17, 20, 22; Shorter Cat. 12.

In regard to this charge, I submit to the Presbytery the following remarks, as my defence:

It is not intended to deny that the death which was threatened to Adam, and which actually comes upon men, as a violation of the law of God involves eternal death, unless man is redeemed. This is fully and expressly stated in Notes, p. 116:

> The passage before (Rom. v.) shows in what sense he (the apostle) intended to use the word (death). In his argument it stands opposed to "the grace of God, and the gift by grace" (ver. 15), to "justification" by the forgiveness of "many offences" (ver. 16); to the reign of the redeemed in eternal life (ver 17); and to "justification of life" (ver. 18). To all these, the words death (ver. 12, 17), and judgment (ver. 16, 18), stand opposed. It cannot be that the evils involved in the words "death," "judgment," &c. relate simply to temporal death. The evident meaning is, that the word "death," as here used by the apostle, refers to the *train of evils* which have been introduced by sin. It does not mean simply temporal death, but that group and collection of woes, including temporal death, condemnation, and exposure to eternal death, which is the consequence of transgression. The apostle often uses the word *death* and *to die* in this wide sense. Rom. i. 32; vi. 16, 31; vii. 5, 10, 13, 24; viii. 2, 6, 13: 2 Cor. xi. 16; viii. 10: Heb. xi. 14; &c.

The statement which *is* made in the passage on which the charge of heresy is based, is obvious in its meaning. It was intended to convey the idea that Adam was in the infancy of society, that he had had no opportunity of observing the effect of transgression; that *temporal* death would be likely to be that which would suggest itself to his mind at the threatening; that there is no evidence that he was acquainted with *all* the effects of his sin; and that the account which is usually given of him in the books of theology is not sustained, by any evidence which is furnished in the Bible. This is charged as heresy.

If I should be asked why this statement was made, I would observe [a.] that it is because it seemed to me to be sustained by the account in the Bible; and [b.] because the ascription of extraordinary endowments to Adam is so often made in theological books, and enters so materially into the systems of many writers, as it seems to me without authority. It is indeed a matter of mere speculation, having nothing to do directly with orthodoxy, or heresy; but I may be allowed here to refer to some of the older theological writers in regard to the extraordinary endowments of Adam. Moreri affirms that "Adam was perfectly skilled in the sciences, especially in astrology, several curious secrets of which he had taught his children." According to Josephus, Moreri adds, "Adam engraved the observations he had made on the course of the stars on two different tables." "Cajetan has

been very much censured," says Bayle, "for not allowing him a perfect knowledge of the planets and the elements." "It is asserted," he adds, "that the speculative understanding of the first man was informed with all the philosophical and mathematical knowledge which the human mind is naturally capable of attaining; and that his practical understanding was endued with a consummate prudence in regard to a man's conduct in all things, whether in public or private life; and besides this, all the moral sciences, and liberal arts, as rhetoric, poetry, painting, sculpture, husbandry, writing, &c." Suidas says of Adam "that he distinctly knew and clearly explained all the differences of the seeds and plants; the virtues of the several roots and herbs, and whatever else nature had appointed to every animal for their subsistence, or cure. That he examined all things, and prescribed them their exact rules and bounds. The arts, sciences, learning both liberal and illiberal; prophecies, sacrifices, and lustrations; the written and unwritten laws; the several institutions, and every thing that is necessary and commodious to life, all these were his invention." See Bayle Art. Adam. And as a specimen of the ease and confidence with which men are *accustomed* to speak of the remarkable endowments of Adam, even where the Bible has said nothing, I may be permitted to read an extract on the subject from a review of my Notes in the Biblical Repertory, vol. vii., p. 299. In that review, the writer —who is unknown to me—has felt himself at liberty to speak as if he had been familiar with Adam, with his feelings, and views, and anticipations, as if it were all perfectly revealed in the Bible, and without any expression or mark of hesitancy or doubt. Thus he says "what Adam *understood and felt* was, that if he transgressed he should incur the disapprobation of God. This was the evil, and the dreadful evil; the sum and essence of all punishment. He felt that transgression would suspend his friendly and delightful intercourse with God, which was the life of his soul; that it would separate him from his Maker, which is spiritual death," &c. Now that Adam really felt and understood all this. I am by no means prepared to deny, but the question instantly arises, how came this known to the reviewer? How did he become so intimate with the feelings of Adam? The familiarity and intimate connection which many men seem to have had with Adam, cannot but be a matter of surprise.

The vindication of my statement will be contained in the following remarks:

(1.) The statement which I have made, as far as I knew, accords with the account in the Scriptures, Gen. i. 27, ii. 16, 17, 19, 20. I have not deemed to

Adam the possesion of holiness; I have not denied that he was created in the image of God; nor that he was endued with the knowledge which was requisite to qualify him to act as a moral agent. Nor does the charge before the Presbytery accuse me of such a denial. It accuses me of denying that Adam had a certain amount of *knowledge* in respect to his relations. And for any thing that appears such a denial in regard to *Adam's* intellectual endowments, is as innocent, and orthodox as a similar denial would be pertaining to John the Baptist, or Lycurgus. It remains yet to be seen that a belief that Adam, or any other man, was possessed of certain supposed intellectual endowments is essential to soundness in the faith, or that a denial of such endowments can be construed into heresy.

(2.) In the ordinary events of moral government, it is not to be supposed that a man should be apprised of *all* the results of an action, in order that just punishment should follow. Lawgivers declare *certain things* as a penalty for transgression; but there may be certain *other* things involved in the results which are *not* declared, and which may be unknown. The law appoints death as the penalty of murder or treason. This may be understood. But the crime of murder, or treason, may have a multitude of *collateral* and *remote* effects, which the law did not specify as a part of the penalty. It may ruin the character, it may destroy the peace of the offender. It may entail disgrace on a family. It may transmit dishonor to a distant posterity, and blight the happiness of a wide circle of friends, or of distant generations. In all this it would be absurd to suppose that the perpetrator would be *apprised* before the act was committed, of *all* the effects which would follow from the commission of crime; or that being thus apprised was essential to the justice of the penalty. All that justice requires is, that he should understand the law, and its more direct and immediate penalty. Such I have not denied was the case with Adam.

(3.) It is absurd to suppose that Adam did know or could have known all the results of his conduct. None but an Omniscent Eye could discern them all. Man has not yet known them. The experience of six thousand years in a sinning, and dying world, has not yet fully developed them. And to suppose that a newly-created man, standing at the head of the race, just opening his eyes on a new world; uninformed of the relations of society; imperfectly acquainted with the nature of penalty; should have been endowed with a knowledge superior to all that we can now obtain even by the aid of revelation, appears to me to be, in the highest degree, absurd and improbable.

(4.) The ordinary course in God's moral government is for the full effect of transgression to be exhibited by the developements of advancing years. Thus Adam was in less favorable circumstances to know the effects than Paul; and thus Paul has *stated* the results of the crime of Adam to include temporal and eternal death—the train of ills which have *in fact* come in upon the world as the consquence of transgression.

(5.) There is no passage of the Bible that has occurred to me, that affirms that Adam was so apprised of his relations as to know all the consequences which would result from sin. The account in Genesis is simple and natural. He was made a perfect man, in the image of God. He was capable of understanding law; and a simple law, adapted evidently not to a being of angelic stature in intellect and experience, but to man in the infancy of society, was given. Endowed with ample power to obey a simple law of God, he yet chose to disobey, and the penalty followed of course. All this is plain and natural, and such as we find in accordance with the infancy of *all* society, and with all our views of what must have been the origin of the race. It is the simple account in the Bible; and it is striking to observe how much this differs from the account of those writers who describe Adam as endowed with the powers and attainments of an accomplished theologue; who suppose him to have been far superior in the knowledge of moral relations to the Calvins and Edwardses, and even Pauls of the theological world; and who attribute to him in addition a knowledge of the habits of animals, and the properties of matter, and of the heavenly bodies, which greatly surpassed the endowments of Buffon, and Davy, and Newton, and Laplace.

(6.) The account in the Confession of Faith accords with that in the Bible, ch. iv. sec. 2. And the account given in the Confession of Faith which I am charged with having violated, accords precisely with the statement here given. The doctrine in the confession is: "After God had made all other creatures, he created man, male and female, with reasonable and immortal souls, endowed with knowledge, righteousness, and true holiness, after his own image, having the law of God in their hearts, and power to fulfil it, and yet under a possibility of transgressing, being left to the liberty of their own will which was subject unto change," &c. With that account, I exactly, and entirely accord. It does not affirm that Adam KNEW his moral relations so intimately as to be certified that his transgression would extend beyond temporal death. My plea is, therefore, that, the account in the 'Notes' is in accordance with the Scriptures, with

common sense, and is precisely the statement to be found in the Confession of Faith.

On this charge, however, I throw myself at the feet of any man who is competent to give me information. If Dr. Junkin, or any other person is in possession of historical evidence that Adam *was* endowed with the knowledge which is claimed for him, the historical fact would be valuable to the world. Till such historical evidence, however, is adduced, I must be permitted to believe that an expression of an opinion that Adam was not blessed with specified *intellectual* endowments is not to be regarded as a heresy which will render void a Christian's "title to mansions in the skies."

A single expression, obviating perhaps some of the difficulties in the mind of the prosecutor in this case, has been changed in the fourth edition of the Notes on the Romans. Instead of saying that Adam was "unacquainted with law," &c., it now reads, "*imperfectly* acquainted with law," &c.

Charge III.

The third charge is in these words, viz.

"That unregenerate men are able to keep the commandments and convert themselves to God."

Proof 1, 164. "*The carnal mind.* This is the same expression as occurs in verse 6, (to phronema tees sarkos.) It does not mean the mind itself, the intellect, or the will; it does not suppose that the mind or the soul is *physically* depraved, or opposed to God; but it means that the *minding of the things of the flesh*, giving to them supreme attention, is hostility to God." "*For it.*—The word (it) here refers to the minding of the things of the flesh. It does not mean that the soul *itself* is not subject to his law, but that the *minding* of those things is hostile to his law. The Apostle does not express any opinion about the metaphysical ability of man, or discuss that question at all. The amount of his affirmation is simply, that the *minding of the flesh*, the supreme attention to its dictates and desires, is not and cannot be subject to the law of God. They are wholly contradictory and irreconcileable, just as much as the love of falsehood is inconsistent with the laws of truth; as intemperance is inconsistent with the laws of temperance; and as adultery is a violation of the seventh commandment. But whether the *man himself* might not obey the law; whether he has or has not ability to do it —is a question which the apostle does not touch, and on which this passage should not be adduced. For whether the law of a particular sin is utterly irreconcileable with an opposite virtue, and whether the sinner is able to abandon that sin, and pursue a different path, are very different inquiries.

Is not subject.—It is not in subjection to the command of God. The minding of the flesh is opposed to that law, and thus shows that it is hostile to God.

Neither indeed can be.—This is absolute and certain. It is impossible that it should be. There is the utmost inability in regard to it. The things are utterly irreconcileable. But the

affirmation does not mean that the *heart* of the sinner might not be subject to God: or that his *soul* is so physically depraved that he cannot obey, or that *he* might not obey the law.

165. 8. *So then*—It follows, it leads to this conclusion.

They that are in the flesh. They who are unrenewed sinners, who are following supremely the desires of the flesh. Chap. vii. 18. Those are meant here who follow fleshly appetites, and desires, and who are not led by the Spirit of God.

Cannot please God.—That is, while they are thus in the flesh, while they thus pursue the desires of a corrupt nature, they cannot please God. But this affirms nothing respecting their ability to turn from this course, and to pursue a different mode of life. That is a different question. A child may be obstinate, proud and disobedient; and *while in this state*, it may be affirmed of him, that he cannot please his parent. But whether he might not cease to be obstinate, and become obedient, is a very different inquiry, and the two subjects should never be confounded.*** He [the sinner] is engaged in hostility against God; and if he does not himself forsake it, it will be endless, and involve his soul in all the evils of a personal, and direct, and eternal warfare with the Lord Almighty.*** The Holy Spirit is often represented as dwelling in the hearts of Christians; and the meaning is not that there is a *personal* or *physical* indwelling of the Holy Ghost, but that he influences, directs, and guides Christians, producing meekness, love, joy, peace, long-suffering, gentleness, goodness, &c. The expression *to dwell in* one, denotes intimacy of connexion, and means that those things which are the fruits of the Spirit, are produced in the heart."

Prof 2, p. 108. "*We were yet without strength.* 'The word here used (asthenoon) is usually applied to those who are sick and feeble, deprived of strength by disease. Matt. xxx. 38; Luke x. 9; Acts iv. 9, v. 15. But it is also used in a *moral* sense to denote inability or feebleness, with regard to any undertaking or duty. Here it means that they were without strength in *regard to the case which the Apostle was considering;* that is, we had no power to devise a scheme of justification, to make an atonement, or to put away the wrath of God, &c. While all hope of man's being saved by any plan of his own, was then taken away; while he was thus lying exposed to divine justice, and dependent on the mere mercy of God; God provided a plan which met the case, and secured his salvation. The remark of the apostle here has reference *only* to the condition of the case *before* the atonement was made. It does not pertain to the question, whether man has strength to repent and believe, now that the atonement is made, which is a very different inquiry."

The contrariety of this to the Standards, will appear by reference to Con. chap. vi. 4, ix, 3, 4, x. 1, 2, xvi.

In regard to the passages from the 'Notes,' quoted in proof of the charge, I remark that it did not seem possible that they should be misunderstood. Whatever may be my sentiments on this point, which at all proper times and places, I never hesitate to avow, yet the passages in question teach nothing on that

subject. They simply affirm that the expressions of Paul on which I am there commenting, *teach nothing one way or the other on the subject of man's ability, or inability,* and this is my defence against the charge. The charge has two counts. 1. That I teach that "unregenerate men are able to keep the commandments;" and 2. That they are able to "convert themselves to God." Now in regard to these, it is remarkable that on the *first*, I expressly declare in the Notes that the passages in Paul teach nothing on the subject one way or the other; and in regard to the second count, it is as remarkable, that there *is not the remotest allusion to the subject of men's converting themselves to God.* The subject is not even named, or referred to in the remotest degree to my recollection throughout the entire volume. The question which the Presbytery is to decide is, whether these charges are sustained by the Notes on the Romans. And my plea here is, that I have expressed *no opinion* on the subject charged on me, and of course that the charge must be dismissed. It is not a little remarkable that grave and formal accusations should be brought against a minister of the gospel on a subject on which he *expressly* declines giving any opinion in the book under consideration. It certainly *seems* to indicate that there were certain doctrines which it was deemed *desirable* to bring into the discussion; that on certain points there was a wish, arising from some cause, that the *character* of a minister should be held up to odium for holding certain opinions; and the case now before us, is one striking evidence of what I have before referred to, and of what has given me so much perplexity, the loose, and hasty, and undigested manner in which these charges have been brought against my ministerial character. Of the conduct of Dr. Junkin in this, I have cause to complain, and do complain that he has falsely accused me of teaching that "men are able to convert themselves to God." That expression, neither in written nor oral discourse, have I ever used; and it was incumbent on the prosecutor to have alleged the precise expression in proof. Injury has been done by the charge, so far as a gratuitous and wholly unfounded charge could do me injury. Men I know have been held in popular rumor to have advanced such a sentiment; and no small amount of odium has been excited against them. For myself, I have never *heard* the declaration made; and I distinctly declare, that I have never taught it myself. And I ask whether it is to be permitted in the Presbyterian church that one minister shall be suffered gravely to charge another with that of which there is not, *even in the alleged proof*, the semblance of evidence? Pursuing

this course, how easy it would be to ruin the character of any man! Allowing this, what man is safe from wholly unfounded and gratuitous accusations?

If it were called for, I should have no reluctance to engage in a discussion on the subject of human ability. But the case does not demand or admit it. I may just observe, however, that the Confession of Faith of our church, like the Bible, knows of no inability in the sinner that does not exist in the will, and which is not therefore moral, and not physical. Its language is, (Con. Faith, ch. ix. sec. 3, 4,) "Man, by his fall into a state of sin, hath wholly lost all ability of WILL to any spiritual good accompanying salvation; so as a natural man being altogether AVERSE from that which is good, and dead in sin, is not able by his own strength, to convert himself, or prepare himself thereto."

In this statement on the subject of the state of man in regard to conversion, I observe (1.) That it is THE forma statement of the doctrine of the confession on the subject. Though, therefore, the confession elsewhere speaks of the sinner's inability, yet it is to this chapter, which professedly treats on the subject, that we are to look for the meaning of the term. 2. There is no statement, here nor elsewhere, of any physical or natural inability of the sinner to obey the commands of God. Had such been the intention of the framers of the confession, such a statement would have been made. 3. *All* the inability in the case is traced to the will. "Man hath lost all ability"—of what? Of the understanding? of his physical powers? No, but all ability of WILL; and the effect of this is that he is AVERSE, i. e. *opposed to* holiness, and this is the reason why he is not converted to God. That it was the intention of the framers of the confession, to say that the inability spoken of existed in the will, or disposition, or heart, alone—that is, that it was a moral and not a natural inability, is manifest. Nothing could be more clearly expressed than this; and with this statement I entirely accord, and this I have always held. 4. This accords with the Bible, and with common sense. There are two kinds of inability—one arising from the want of physical power, the other from a want of inclination or will. The inability of a man to remove a mountain is one thing, and an inability to do right arising from the strong love of sin is another. The one excuses, the other does not. The latter is that which is to be charged on men; for [*a*] it is that only which is referred to in the Bible. The Scriptures when they account for the reason why men do not become Christians, trace it to *sin*, and to disinclination, John v, 40. 44. Particular sins are specified, the love of the world, pride, passion, lust, &c. [*b*] They ad-

dress men as subject to no other inability. They command men to choose &c., to make themselves new hearts, all of which suppose that man has power to obey. Deut. xxx; 19: Josh. xxiv; 15: Job xxxiv; 4: Luke x; 42: Ezek. xxxiii; 11: xviii; 31, 32. [c] If not, man is excusable for not obeying. This is a matter of common sense. The distinction is made by all men, by all parents, teachers, lawgivers, &c. [d] The contrary doctrine tends to produce the neglect of religion, and security in impenitence and sin. If Dr. J. charges me with error in this, he holds the contrary, that is, 'that unregenerate men are not able to keep the commandments; that there is no ability of any kind to yield obedience; that in no conceivablle sense has man any power to repent, to believe, and to love God, or to love his fellow men; that there is an inability on these subjects, which does *not* lie in the disposition, the heart, or the will, but which lies in something that is *independent* of the will, and which is therefore of a physical nature; that it is the same kind of inability which a man should labor under if he were commanded to drain the ocean or to lift a mountain, or to create a world, or to raise the dead; and that therefore a command to do one would be as reasonable as to do the other.' And this is the same as to say, that God has given men commands which in no sense they are able to obey. Now to say this, is the same as to charge God with tyranny. What was it that made the government of Pharaoh tyrannical but laying tasks on the Israelites which they had no power in any sense to obey, commanding them to make bricks without straw? And what will be the effect of preaching this doctrine? Is it not evident, that it will be to convince men that the government of God is one of tyranny? Will it not be to confirm them in sin? Why should man make an effort when he has no power of any kind to move? Is it not so obviously in the face of the common sense of men—so much at variance with the great original impressions of truth, made on their minds, that they will reject it, and reject the system which professes to hold it, with abhorrence? Would Dr. Junkin dare to preach it to my people, or to any other people? or if he did, would he expect that men would be roused by it to repent, and turn to God? Is it not known that the tendency of it every where is to annihilate a sense of responsibility, and free agency, and to make revivals of religion cease? [e] The Bible no where requires more of men than they can perform. Thus our Savior says that the sum of the law and the prophets consists in this, "Thou shalt love the Lord thy God with ALL thy heart, and with ALL thy soul, and with ALL thy strength, and with ALL thy mind; and thy neighbor as thyself." Luke x; 27. In

this passage the requirement is expressly limited to the capacity of the subject. All the heart, the soul, the strength, is required; and this is the whole of the requirement. It does not lay a claim on any power which man does not possess; nor beyond any power which he possesses. It is definitely limited to the extent of the capacity, in accordance with all the rules of common sense, and the operation of all laws. But suppose the principle conterded for by Dr. Junkin were to be applied to this law of God. Suppose the enactment had been framed with reference to the doctrine that God may demand of man that which in *no* sense he is able to render. What a different form would at once have been given to the commandment. To meet that supposition, it must have read, "Thou shalt love the Lord thy God with MORE THAN ALL thy soul, and thy mind, and thy STRENGTH"—or "Thou shalt love him not only to the measure of thy capacity and capability, but with the measure of the powers of *some other* being, of an angel, or an archangel," &c. Would not such a statute have been a burlesque on all legislation? And yet this is the legitimate statement of the doctrine, unless it be admitted that the divine law, in accordance with common sense, and with all other law, is adapted to the capacity of the subject. [*f*] The same thing occurs every where. The principle of adapting requirements to capacity, law to the powers of moral agency, obtains in all families, and in all governments; nor could they possibly exist on any other principle. It is a principle which commends itself to all men; and the distinction is one which all men make. This has been abundantly proved by Edwards, [on the Will, part 1. § 4.] It enters into all our notion of moral agency and of government. Every parent punishes a child for disobeying when he has power to obey; he would excuse him, and justify him, if he had no power. A man without limbs cannot be required to walk; without eyes cannot be required to see; without hands cannot be required to labor. If, in a moment of desperate wickedness, a servant has cut off a hand, or put out an eye, he cannot be required to labor with the hand that is removed, or to see with the organ that is extinguished. He is responsible for the original act by which he deprived himself of ability, and the moral turpitude of that act is to be measured by the intention, and by his obligation *not* to do it. But to hold him answerable *now* for the use of a hand which is removed, or to require him to *see* with an eye which is blind, would be a requirement that would be the definition of tyranny. [*g*] This distinction has been made by the church in all ages. It is not only recognized in our confession of faith, and in the Bible, and the common sense of men, but has been

the common doctrine of all the wise and good in the church at all times.*

I may here, however, add my full belief, which in no instance I have ever denied or varied from, that such is the depravity of man by nature; such his love of sin, and opposition to the law and government of God; such his *moral inability*, i. e. his strong, and decided, and constant opposition to God by nature, that he will always remain a sinner unless he is aided from on high. No man ever was, or ever will be, it is my full conviction, awakened, convinced, or converted, but by the agency of the Holy Ghost, an agency which is needful to arrest his attention; to alarm his fears; to dispose him to inquiry and to prayer; and to convert his heart to God. No man becomes a Christian, or goes to heaven, without being disposed by the Holy Ghost, and without being brought to eternal life from the commencement to the close of the work, by the sovereign mercy of God, and by the agency of his spirit. No man ever did or will repent, except as influenced by the Spirit; so that in all this work it is true *as a fact*—as a historical verity, in which sense I understand the passage, that "no man can come to the Savior, except the Father which hath sent him draw him." John vi; 44.

As, however, the charges alleged against me are for doctrines taught in the "Notes on the Romans," I demand that the sentence in this case be solely on the sentiments *in* that book; and as in that book I have taught nothing on the subject, either one way or the other, the charge is not sustained; and the Presbytery cannot find me guilty.

The only *semblance* of an argument here must be, that I have *removed* certain texts which have been usually supposed to prove the doctrine of the sinner's inability, from the category of proof-texts on that subject. But assuredly, if the interpretation of those texts is *correct*, that is not to be regarded as an offence. It cannot be *assumed* that a certain *interpretation* of a text is orthodoxy, and that to doubt it is heresy; or that a man by subscribing the Confession of Faith is precluded from an examination of the Bible. If the *interpretation* of those texts is erroneous, the error can be stated and corrected; but because I have ventured to give a different interpretation of those texts from that which Dr. Junkin supposes to be the correct one, or which has been commonly held to be correct, I am not, therefore, to be charged with denying the *doctrine* of the Confession. To make this perfectly plain, it is only necessary to apply it to other cases. The text in 1 John v; 7: has been applied in

* See the trial of Lyman Beecher, D. D., where this is abundantly proved.

all ages of the church, by the majority of the orthodox, to prove the doctrine of the Trinity. But if a man should express a doubt in regard to the genuineness of that text, is he therefore to be charged with the denial of this doctrine? The passages in Jer. xvii; 9, and in Eccl. vii; 29, have been usually applied to prove the doctrine of total depravity. But if a man should venture to give a different interpretation to these texts, and to show that they are not pertinent as proof, is he therefore to be charged with denying the doctrine of depravity? Yet this is the principle on which this charge is brought; and on this principle, the orthodoxy of no men in the land who examines the Bible for himself, can remain long unsuspected; and on this principle I could convict of heresy the most illustrious man for learning and piety that ever adorned the church or the world.

Charge IV.

The fourth charge is in the following words:

"That faith is an act of the mind, and not a principle, and is itself imputed for righteousness."

Proof 1. p. 94. "*Abraham believed God.*" In the Hebrew, "Abraham believed *Jehovah.*" The sense is substantially the same, as the argument turns on the *act* of believing. The faith which Abraham exercised was, that his posterity should be like the stars of heaven in number. This promise was made to him when he had no child, and of course when he had no *prospect* of such a posterity. See the strength and nature of this faith further illustrated in verses 16—21. The reason why it was counted to him for righteousness was, that it was such a strong, direct and unwavering act of confidence in the promise of God. *And it.*—The word "it" here evidently refers to the act of believing. It does not refer to the righteousness of another—of God or of the Messiah; but the discussion is solely of the *strong act* of Abraham's faith, which in *some sense* was counted to him for righteousness. In what sense this was, is explained directly after. All that is material to remark here is, that the *act* of Abraham, the strong confidence of his mind in the promises of God, his unwavering assurance that what God had promised he would perform, was received for righteousness. The same thing is expressed more fully in ver. 18–22. When, therefore, it is said the righteousness of Christ is accounted or imputed to us; when it is said that his merits are transferred and reckoned as ours; whatever may be the truth of the doctrine, it cannot be defended by *this* passage of Scripture. Faith is always an act of the mind. It is not a created essence which is placed within the mind. It is not a substance created independently of the soul, and placed within it by Almighty power. It is not a *principle*, for the expression, *a principle of faith*, is as unmeaning as a principle of joy, or a principle of sorrow, or a principle of remorse. God promises, and the man believes, and this is the whole of it. Beyond the mental operation, there is nothing in the case, and the word is strictly limited to such an act of the mind throughout the Bible. There is not a place that can be adduced where the word means any thing else than an act of

the mind, exercised in relation to some object, or some promise, or threatening, or declaration of some other being." p. 95. "Remark (1) That it is evidently not intended that the act of believing, on the part of Abraham, was the *meritorious* ground of acceptance; for then it would have been a work. Faith was as much his own act, as any act of obedience to the law. (2) The design of the Apostle was to show that by the *law*, or by *works*, man could not be justified. Chap. iii. 28, iv. 2. (3) *Faith* was not that which the law required. It demanded complete and perfect obedience; and if a man was justified by *faith*, it was in *some other way*, than by the law. (4) As the law did not demand this, [faith "confidence in God" see page 30;] and as faith was something different from the demand of the law, so if a man were justified by that, it was *on a principle* altogether different from justification by works. It was not by personal merit. It was not by complying with the law. It was in a mode entirely different."

How contrary this to the Confession of Faith is evident. See Chap. xiv. 11. Lar. Cat. 72, 73.

This charge consists of three counts, or specifications, which it is necessary to dispose of in their order.

The first is, that "faith is an act of the mind." The proof is in p. 94. In regard to this portion of the charge, I admit that I meant to teach, as charged, that "faith is always an act of the mind." And the meaning is so obvious, that it scarce requires elucidation. I designed to teach that it was not a created essence independent of the soul; and that there was nothing *in* faith which could not be appropriately described by the mind *receiving*, and *resting* on Christ; *exercising* confidence in him; *believing* his promises, *fearing* his threatenings, and *depending* on him for salvation, all which are *actings* of the minds, or are the *mind acting*. And I do not wish to be understood now as holding any thing on this point different from that which is here charged on me.

I hold this opinion for the following reasons: (1.) It seems to me to be a matter of common sense, and one which commends itself to all who examine their own minds. To *believe* is evidently an act of the mind, and yet this *believing* is all that is understood by faith. To believe a historical narrative; to believe a mathematical proposition, is evidently an *acting* of the mind in relation to such a narrative, or proposition; and this is expressed by the word faith. To *believe* is as much an act of the mind as to think, to remember, to hope, to love, to fear. So obvious is this, that I should be unwilling to make these remarks, of my *believing this in my own mind*—in which I am conscious of an *acting*, or operation of mind, were it not charged on me as gross and dangerous heresy. (2.) The account which is given in the Bible accords with this. Christians are described as *believing*—implying an acting or operation of the mind in reference to certain propositions. They are called *believers*,

or those who *believe*, that is those who put forth such acts of mind. Matthew xxi. 22; John xx. 27; Acts xvi. 21, xxiv. 24, viii. 17; John ii. 23, iv. 39, xi. 45, xii. 42, and *passim*. And in the detailed statement which the Apostle Paul has given (Heb. xi.) of the nature of faith, he has described a succession of *acts* of mind in relation to different individuals who put confidence in God; and this is what in his view constituted *faith*. Comp. ver. 1. (3.) Unless it were such an acting of the mind it could not be commanded as a duty to believe. If faith were of the nature of a created essence; an independent substance lying in the soul; a matter which could be affected by no acting of the mind, it could never be the subject of command; nor could its existence or absence be the occasion of praise or blame. This is so apparent as to need no argument.

My vindication from this charge, I put on the following grounds: [1.] It is in accordance with the Bible and with common sense. [2.] It is not a violation of the Confession of Faith, but accords with it. "By this faith, a christian BELIEVETH to be true, whatsoever is revealed in the word, for the authority of God speaking therein; and ACTETH differently upon that which each particular passage thereof containeth; *yielding obedience* to the commands, *trembling* at the threatenings, and *embracing* the promises of God for this life and that which is to come. But the principal ACTS of saving faith are *accepting*, *receiving*, and *resting* upon Christ alone for justification, sanctification, and eternal life, by virtue of the covenant of grace." Con. ch. xiv. § 2. In this place, *all* the operations of faith are described as *actings* of the mind; or as the *mind acting* in relation to certain objects or truths. It is represented as "yielding obedience," "trembling," "embracing," "accepting," "receiving," and "resting on;" all of which imply an acting of the mind. It would be impossible for the Confession to be more explicit. Nothing else is spoken of *but* such an acting of mind. And the Confession undoubtedly was designed to teach, in accordance with the Bible and with common sense, that *to believe* implies an operation of mind; or the mind acting in relation to certain truths. The views which I have expressed in the specification are, therefore, precisely in accordance with the Confession of Faith. [3.] It would be easy to show that this accords with the sentiments of all those who have usually been regarded as orthodox. One testimony, however, must suffice. It is from the Biblical Repertory of Princeton, where the sentiment which I have advanced, is advanced in explicit terms. In speaking of the proposition that "faith is an act of the mind, and nothing but an act of the mind," the conductors of that work

say: "We should be sorry to think that the Assembly had denounced this as a 'pestilerous error,' for we confess ourselves guilty of this opinion. We cannot conceive what faith is but the act of believing; it is one of the manifestations of that *principle* of holiness which we believe to be the result of the Spirit's operation on the heart." Vol. vii. 480.

The second count in the charge is that "faith is not a principle." In the passage referred to in the notes as proof, this *is* expressly stated as my belief that faith is not *a principle*. By this, I meant to affirm that it was not any thing *independent* of the acting of the mind; any created or conceivable essence of the soul that was lying back of the act of believing. By bringing this charge, Dr. Junkin evidently supposes that faith is *not* an act of the mind but *is* a principle; that it does not consist in the mind's acting, or in any mental operation, but in something distinct from all such operations, and independent of them. In other words, that the mind does *not act* in believing, but that there is something *in* the mind independent of any such acting that is to be called faith. As he has not told us in his charges what he means by this, it is impossible for me to know how to meet the accusation. If it is meant that faith is such an independent, created essence that has no connection with an act of the mind, it was my purpose to deny it. But if it be meant that the Christian, the man who believes—is a man of principle; that he has certain great principles of conduct, by which he is regulated, it was not my purpose to deny it, but to affirm it. I understand by "a principle" of action, not a created and irresponsible essence of the soul, a part of the physical structure of the mind, but an adopted rule of life; a purpose or determination of the mind to act in a certain way; a fixed resolution to do *right* whatever may be the result; the great rules and laws which a man adopts, and by which he intends to regulate his conduct. In this sense, it does not differ from a firm and established purpose of the mind itself; a purpose which becomes strengthened by every successive decision of the mind; which ripens into *habit* by frequent repetition; and which may thus be called the habitual *bent* or *disposition* of the soul. As intended to describe the *leading purpose*, the established preference and habit of the man's mind, it was not my intention to deny that there *are* such principles of action, and that the Christian is thus a man of principle. But in this case, we speak of the *man* as a *man of principle;* we do not intend to describe the *act of the mind* as a principle. We say that a man who will act right in the face of opposition and persecution, is a man of principle; but we do not describe his *acting right*, the operation of his mind, as a principle. We do not speak of a principle

of joy, a principle of sorrow, &c., but we speak of the great principles or leading determinations by which a man regulates his conduct. When a child obeys a parent, we do not speak of the act of obeying as *a principle;* but we may speak of the son as acting according to principle in this. When Howard exercised compassion on the suffering prisoners in Europe, we do not speak of his self-denial and sacrifices as a principle; but we speak of the man as influenced by principles of action which he had adopted, and from which he had never swerved. So of the Christian. The great leading, deeply cherished, principle of his soul is to obey God. It becomes the habitual bent and disposition of his mind; an inclination or disposition, for the formation and cherishing of which he is responsible—an inclination, or preference, or disposition which lies *back* of any specific *act* of believing, just because it is the deeply-cherished preference of the man's soul; the purpose which he has formed thus to live, and thus to act. This principle is strengthened by action; fortified by repeated exercise; confirmed by every new act of resisting temptation; until it becomes the *law* of our renewed nature; the indomitable principle of attachment to God and his cause.

My vindication from this count in the charge is (1.) That the confession of faith does not any where affirm that this faith *is a principle*, which it is incumbent on Dr. J. to show *is* affirmed; and (2.) That the whole subject is one that pertains simply to the philosophy of *mind*, and not to theology. It would be as proper for Dr. Junkin to allege an error in my views pertaining to *memory*, or *imagination*, or the powers of mind in regard to *abstraction* or *analysis*, as to charge me with heresy for differing from him in regard to a mental operation on the subject of faith.

The third specification in this charge is, that I have taught that "faith itself is imputed for righteousness."

In regard to this, I observe [1.] that so far as I am able to understand the Apostle Paul, this is his very language and sense. Rom. iv. 3. "Abraham believed God, and it was counted unto him, [or imputed elogisthe] for righteousness." The word "it" in our translation, I understand as referring unquestionably to the act of Abraham's mind, since his strong act of faith was the subject and the only subject of discussion. That it should refer to any thing else, seemed to me to be a departure from all the proper laws of interpretation. If I have been in an error in supposing that the Apostle meant to refer to Abraham's faith, or to his believing, I am not unwilling to be corrected. If my interpretation is a correct one, then it is not a little remarkable that I am accused of heresy that renders void Dr. Junkin's title to

heaven, for teaching a doctrine *in the express words of the Apostle Paul*, and that those words are seriously charged with containing dangerous error. My defence here is, that I coincide with the Apostle Paul in belief on this subject; and that the doctrine which I have expressed is in his very language. [2.] I have not taught that either Abraham's act of believing, or the act of faith of any other man, is the meritorious ground of acceptance with God. In the very passage now under consideration, this has been disclaimed. In reference to this we may remark [1.] That it is evidently not intended that the act of believing on the part of Abraham was the *meritorious* ground of acceptance. * * * * [5.] By being justified by faith, it is meant, that we are treated as righteous; that we are forgiven; that we are admitted to the favor of God, and treated as his friends. * * * * It is in no sense a matter of merit on our part, and thus stands distinguished entirely from justification by works, or conformity to the law. From beginning to end it is, so far as we are concerned, a matter of grace. *The merit by which all this is obtained is the work of the Lord Jesus Christ, through whom this plan is proposed, and by whose atonement alone God can consistently pardon and treat as righteous those who are themselves ungodly.*" The doctrine which I have defended is, that the merits of the Lord Jesus are the *only* ground of the justification of a sinner before God; and that in this, faith is a mere instrument, a *sine qua non* in the work of justification, This I have taught in as explicit language as possible. Yet I did not suppose that the appointment of faith in this work was arbitrary. I regarded the want of faith in God in the earth as the great crowning evil—producing the same sad effects under the divine administration, which the want of confidence in a father, a wife, a neighbor, a commercial house does in a community; and that the grand desideratum in a plan of salvation was to restore to an alienated world *confidence in the existence*, the *government*, and *the perfections of God*. This Abraham evinced; and it was such a state of mind as furnished the proper *evidence* of reconciliation, and he was reckoned as *in fact* a justified man. His faith in God was so strong as to give an unerring indication that he was recovered, and was reckoned to him "for righteousness," or, "in order to justification," just as faith is now. The same principle of the divine administration was evinced in *his* case as in ours; acceptance with God not on the ground of faith as a meritorious cause, but because his faith evinced a state of mind to which God had promised acceptance. In his case, as in all others, the ground of acceptance with God, according to my unwavering

view, is the anticipated or the accomplished merit of the great atoning sacrifice, the Son of God. The statement of this view, will occur more at length in another part of this defence. My vindication here is that I have not taught that the act of faith is imputed as the meritorious ground of acceptance with God, but the contrary. I may here remark, that perhaps a part of the objection to my statement will be removed by adverting to a correction which I have made in my Notes. P. 95. In the comment on the phrase "for righteousness," Rom. iv. 3, instead of "*as* righteousness" the corrected edition reads "IN ORDER TO JUSTIFICATION"; which more accurately expresses my meaning, and avoids an ambiguity in the expression which was before employed. And also by a change which has been made in the Notes on p. 94. Instead of reading—"Beyond the mental operation, there is nothing in the case; and the word is strictly limited to such an act of the mind throughout the Bible. There is not a place that can be adduced where the word means any thing else than an act of the mind, exercised in relation to some object, or some promise, or threatening, or declaration of some other being"; the following passage has been substituted in the fourth edition, viz.:—"While the word *faith* is sometimes used to denote *religious doctrine*, or the system that is to be believed [Acts vi. 7, xv. 9, Rom. i. 5, x. 8, xvi. 26, Eph. iii. 17, iv. 5, 1. Tim. ii. 7, &c.], yet when it is used to denote that which is required of man, it *always* denotes *an acting of the mind*."

Charge V.

The fifth charge is in the following words, viz.:—Denying

"That God entered into covenant with Adam constituting him a federal or covenant head, and representative to all his natural descendants."

Proof 1. p. 114. "From these remarks it is clear that the apostle does not refer to the *man* here from any idea that there was any particular covenant transaction with *him*; but that he means to speak of it in the usual popular sense; referring to him as being the fountain of all the woes that sin has introduced into the world."

Proof 2. p. 128. "The most common (explanation) has been that Adam was the representative of the race; that he was a covenant head, and that his sin was *imputed* to his posterity, and that they were held liable to punishment for it, as if they had committed it themselves. But to this there are great and insuperable objections.

(1.) There is not one word of it in the Bible. Neither the terms representative, covenant, or impute are *ever* applied to the transaction in the sacred scriptures. (2.) It is a mere philosophical theory."

Proof 3. p. 115. As quoted under charge II.

Proof 4. p. 120, 121. "A comparison is also instituted be-

tween Adam and Christ in 1 Cor. xv. 22—25. The reason is, not that Adam was the *representative* or *federal head* of the human race, about which the apostle says nothing, and which is not even implied, but that he was the first of the race; he was the fountain, the head, the father; and the consequences of that first act introducing sin into the world, could be seen every where. The words *representative* and *federal head* are never applied to Adam in the Bible. The reason is, that the word *representative* implies an idea which could not have existed in the case—*the consent of those who are represented.* Besides the Bible does not teach that they acted in him, or by him; or that he acted *for* them. No passage has ever yet been found that stated this doctrine."

Proof 5. p. 128. (2) "Nothing is said of a *covenant* with him (Adam). No where in the scriptures is the term *covenant* applied to any transaction with Adam. (3) All that is established here is the simple fact that Adam sinned, and that this made it certain that all his posterity would be sinners. Beyond this the language of the apostle does not go; and all else that has been said of this is the result of mere philosophical speculation. (4) This *fact* is one that is apparent; and that accords with all the analogy in the moral government of God. The drunkard secures commonly as a result that his family will be reduced to beggary, want, and wo. His sin is commonly the certain occasion of their being sinners; and the immediate cause of their loss of property and comfort and of their being overwhelmed in wretchedness and grief. A murderer will entail disgrace and shame on his family.

How utterly opposed all this is to the standards, will appear by reference to Con. of Faith, Chap. vii. 1—11, xix. 1, Lar. Cat. 20, 22, Sh. Cat. 12—16.

This charge and the two following relate to the same subject; and can scarcely be separated. I shall endeavor, however, to consider them, as they are presented by my accuser, as separate charges. I must beg of the Presbytery to bear in mind the real point in debate, and concerning which I am accused. My statement in my 'Notes' is definite, and designed to be so. *It is simply that the terms 'covenant,' 'federal headship,' and 'representative,' are not applied to the transaction with Adam, in the passage under consideration in my Notes, nor in the Bible.* And the simple inquiry is, whether this *is* so, or is *not*—and on this, the Presbytery is to find a verdict. That this is my statement, I shall now show. In the Notes on Rom. v. 19, I say: [1] "Nothing is here said of the doctrine of representation. It is not affirmed that Adam was the representative of his race, nor is that language used in regard to him in the Bible. [2] Nothing is said of a covenant with him. Nowhere in the Scriptures is the term covenant applied to any transaction with Adam." P. 128. And again: [1] "Neither the terms representative, covenant, or imputed, are *ever* applied to the transaction in the sacred Scriptures. [2.] It is a mere philosophical theory; an introduction of a speculation

into theology, with an attempt to explain what the Bible has left unexplained." In my defence, in regard to this charge, I observe, then—

That I have here taught the same doctrine which I have held ever since I entered the church as a candidate for the ministry. My views have never changed on the subject, that I can now recollect. These views I always avowed. With these views I was licensed. With the same views I was ordained; and these views, I have reason to think, were always known to the fathers and brethren who introduced me into the sacred office. And these views, I have every reason to suppose, are held by a very large portion of the ministers and members of the Presbyterian church. I have not supposed that, in them, I was advancing any thing peculiar; nor do I now suppose it. Whether it be from early prejudice; or from not correctly understanding the doctrine in question; or whether the language conveys to my mind ideas different from those conveyed to others; or whether it be from want of apprehension of the true doctrine of the Bible, yet I frankly confess that I have always preferred to express my views of the relation of Adam to his posterity in language different from that which has been commonly employed on the subject. The reasons of this, I shall state soon. Before doing that, it may be proper, in few words, to state what I have been accustomed to hold and to teach. My own belief is, that while I have chosen to make use of different words, yet that I have always held to the *facts* and essential doctrines which are intended to be stated in the Confession of Faith, and which are taught in the Bible.

The facts then, in the case, which I have supposed to be true, are briefly these:

[1.] That Adam was created holy; apprised of his relations to God, as his creature and as a moral agent; capable of obeying a law; yet free to fall. Gen. i. 27.

[2.] That a simple law was given him, designed to operate as a test, by which it should be known whether he would obey or rebel.—Gen. ii. 16, 17.

[3.] That this law was adapted to the condition of the man—simple, plain, easy to be obeyed; and fitted to give human nature a trial in circumstances as favorable as possible.

[4.] That its violation exposed him to the first threatened penalty—to the penalty as he had understood it; and to all the penal collateral woes which transgression might involve in its train—involving, as subsequent developments have showed, the loss of God's favor; his displeasure evinced on earth, in the toil, and cares, and sweat and sickness and death of man; in the subjection of the soul to hereditary

depravity and the curse; and to the pains of hell forever.

[5.] That Adam was the head of the race; that he was the fountain of being; that he was the origin of society; and that human nature was so far tried in him, in favorable circumstances, that it may be said he was on trial not for himself alone, but for his posterity, inasmuch as his fall would affect them, and involve them in ruin.

[6.] That by a constitution of divine appointment—which the framers of our Confession call "a covenant made with Adam, as a public person, not for himself only, but for his posterity"—it was so arranged that his fall should involve his posterity in ruin, without any exception, save only the Messiah; that that apostacy secured as a certain result, the fact that all his posterity would be sinners and would die.

[7.] *That his posterity are subjected, in consequence of this act of Adam, to the same train of ills as if they had themselves personally been the transgressor*—that is, that his posterity are "indubitably affected." I use now the language of my Notes on the Romans (p. 122, 123): "By the the sin of Adam, as e. g. by being born with a corrupt disposition, with loss of righteousness; with subjection to pain and woe." In this, I have never doubted, that they are treated not as personally ill-deserving, or criminal, but are subjected to the same train of evils as they would have been, had they been the personal offenders; or as Adam deserved to be after his fall. And in using this language, it was my design to deny that children are born without any thing that may be regarded as a tendency or hereditary disposition to depravity; and to deny also that they become sinners, as the Pelagians taught, simply by imitation. By hereditary tendency, or disposition, however, I did not mean to express my belief that the substance of the soul was corrupted, or that the depravity is physical, or that it consists in a weakening or destroying of the intellectual faculties, or that it consists in any created essence or substance which is placed in the soul. I mean to say that there is something—which I do not profess myself able to explain—antecedent to the moral action of the posterity of Adam, and growing out of the relation which they sustain to him as the head of the race, which makes it certain that they will sin as soon as they begin to act as moral agents, however early that may be. This hereditary tendency to sin, I suppose, is what has been usually called "original sin; and the existence of this I have not denied, but have always affirmed, and do now most firmly hold. What the precise metaphysical nature of this is, I do not pretend to know; but

wished simply to state my belief of the existence *of the fact*, that by a divine constitution their sinning was made certain in all cases, except that of the Messiah. I reject, therefore, with no slight impressions of injustice to myself, every charge which is brought of my denying original sin. In the first edition of my 'Notes,' the following passages occur, showing that I hold this doctrine; viz.

"In like manner, though men are indubitably affected by the sin of Adam, as e. g. by being born with a a corrupt disposition; with loss of righteousness; with subjection to pain and wo," &c. pp. 122, 123.

"*Unto condemnation.* Producing condemnation; or involving in condemnation. It is proved by this, that the effect of the sin of Adam was to involve the race in condemnation, or to secure this as a result, that all mankind would be under the condemning sentence of the law, and be transgressors." p. 124.

"As the sin of Adam was of such a nature, in the relation in which he stood, as to affect all the race," &c. pp. 125, 126.

"All that is established here is the simple *fact* that he sinned, and that this made it certain that all his posterity would be sinners." p. 128.

"The simple fact in regard to Adam is, that he sinned; and that such is the organization of the great society of which he is the head and father, that his sin has secured as a certain result that all the race will be sinners also." p. 129.

"The apostle, in this expression, does not say that all have sinned in Adam, or that their nature has become corrupt, *which is true*, but which is not affirmed here," &c. p. 117.

[8.] This constitution, or arrangement, I have supposed was to be eradicated from objections on the same *principle* of the divine government as all other similar facts. Facts like this are common every where in the government of God, and the dealings of men—where the effect of one man's conduct, sustaining certain relations to another, passes over from him, and affects them *as if* they had themselves sinned. Thus the drunkard commonly secures, as a result, that his children will be beggared, wretched, and ruined; e. g. they are subject to a train of ills on these subjects *the same* in regard to their character, property, peace, and perhaps health, *as if* they, not their father, had been intemperate. So of the traitor, the murderer, the pirate, and especially when such a man is at the head of a community, or a race. This I regard as an *illustration* of the general arrangement in regard to social liabilities, and as fully vindicating the principles of the divine administration from all the objections which can be urged against it. I may here be permitted to say, that I

have never declared nor believed, 'that we have no more to do with the sin of Adam than with the sin of any other man.' In most important respects, I regard our relation to him as peculiar. While the dealings of God with him and his posterity can be vindicated on the general principles of his administration, as they now occur, and while all the objections which have been made to it can thus be removed, it is still my belief that there is *much* that is peculiar in his relation to us—much that does *not* occur in the case of a traitor, a drunkard, a pirate. *One* peculiarity, and a very material one, is, that the sin of Adam secured us a certain result, the sin of all his posterity. The sin of a drunken father, pirate, murderer, does not. The consequence *may* follow in their cases, and does often; but in the case of Adam, it not only *may*, but it *does* inevitably follow always. Adam was the head or root of all; and his act had this tremendous pre-eminence, that it involved all in ruin, as if all had been on trial for themselves, and all had fallen.

The facts occurring under God's administration, I have supposed could be defended on the same principle. I have not supposed that God had different principles in regard to facts of a similar nature. My belief has been that the same principle that would vindicate the one class, would vindicate also the other; and that the same weapons by which I can repel the attacks of men on the existing order of things, would avail to repel the attacks of the infidel on the statement in the Bible in regard to the primeval condition of man, and the organization of society. I have loved to contemplate the government of God as one; to find the elements of the same administration every where; and to find the demonstration that one part could be sustained by the argument from the analogy of acknowledged facts in all the divine arrangements. I have felt a reluctance, therefore, to suppose that I was to take a new and independent set of principles, when approaching the facts that are stated in the Bible, and have found nothing that relieved my difficulty by the use of the terms "covenant-head," and "federal relation." The facts in the case I have been willing to leave, as all others are, to be fully understood, perhaps, only in the clearer light which shall attend all these developements in a future world. These are the views which I have always held, and intended to express on this subject, so perplexing, and so full of controversy. If any expressions occur in the Notes on the Romans which seem to convey any different views, they do not express the idea clearly which I intended to convey, and I profess my willingness to correct them accordingly, if they are specifi-

ed. The simple *facts* in the case I hold as they are held in the Bible, and in the Confession of Faith.

[9.] The *principles* on which I have supposed these facts may *all* be vindicated, I have stated in my Notes, p. 129.

The reasons why I have not chosen to use the terms in relation to this transaction which are often employed, I shall now proceed, in few words, frankly to state.

1. In regard to the term "covenant," and "covenant or federal head."

[1.] The terms are NEVER applied to the transaction with Adam in the Bible. No place has ever been adduced where the Hebrew Berith, the Greek diatheke, or suntheke, or the English term covenant, is applied in the Scriptures to this transaction. Now, I would not altogether reject the use of words which are not found in the Bible, for there are important advantages in the use of the terms *Trinity*, *Person*, &c. as applied to the divine nature, and of total depravity as applied to man, &c. But assuredly a reluctance to employ these *terms*, provided the Scripture doctrine be retained, cannot be charged as heresy. On this ground, I put my defence; and maintain that while I hold the substantial *facts* which the Confession of Faith designs to state, I am not chargeable with gross heresy, for not employing a word that is not found in this connexion in the Bible. [2.] The words, to omit the use of which is here charged as heresy, would convey no idea to the class of persons for whom I wrote. My aim was to benefit mainly the young; and I did not suppose that it would contribute materially to their information, to be told that Adam was the "federal head" of his posterity. After the numberless times which I have heard these terms used, and have found them in books of theology, I acknowledge that the idea which they convey to me has never been as clear and explicit as could be conveyed by other terms. It is language remote from common life; not used in reference to the common transactions of men; and very imperfectly adapted to the common mind. [3.] The terms were not used in the passages in the Epistle to the Romans, on which I was commenting. I did not feel myself called on, therefore, to make use of terms which the apostle had not used, and which were not necessary to give a fair and full idea to his meaning. [4.] The use of the terms "covenant," and "federal headship," applied to Adam, is remote from the usual signification of the words. They naturally imply the idea of *equality* between the parties, the notion of a *compact* where either of the parties should be at liberty to *decline* the agreement. But it is evident that there could be no such *equality* between God and

man; and though the term "covenant" is often, in the Bible, applied to transactions between God and men, yet it is evidently in a *metaphorical* sense. The Hebrew word, in accordance with a usage in all languages, means properly a *compact, league, agreement*, between man and man [*Taylor, Gesenius*, &c.]; a compact "which puts their affairs into a new state" [Taylor's Heb. Con.]; and implies the idea of equality, or liberty to reject the terms, &c. It occurs some hundreds of times in the Old Testament, but not in a single instance, it is believed, in regard to the transaction with Adam. It is *often* applied, indeed, to transactions between God and man [See Taylor]; and when so used, it is evidently equivalent to *law*, or *constitution*; and *had* the term been applied to the transaction with Adam, it would have been as proper as its use in the other transactions with men which are mentioned. The simple observation in my 'Notes' is, that the *term* is not used in regard to the transaction in the Bible; and whatever may be the bearing of the remark, such is the unquestionable fact. [5.] To many minds, the term conveys an erroneous idea. It has been made the basis of false doctrines in regard to the subject of the imputation of Adam's sin. It constitutes, in fact, *the argument* by which many defend their peculiar views of the imputation of the sin of Adam on his posterity, on the supposition of a personal identity between him and his descendants. And there are many men, perhaps, who hold that doctrine, who would be themselves surprised to learn how entirely their views are based on the supposition of a covenant with Adam of which the Bible says nothing. As it was not my intention to teach that doctrine, it did not appear desirable to retain the use of language which seemed to lead to it. [6. So far as I have examined the standards, the phrase "federal or covenant head" is not to be found in the Confession of Faith, or in the Catechisms of the Presbyterian church. Not to use them, therefore, cannot be charged as heresy. [7.] The Confession of Faith evidently means by the term "*covenant*," a *constitution*, or *law*. Thus in ch. xix. § 1, it says, "God gave to *Adam* A LAW, AS *a covenant* of works by which he bound him, and all his posterity to personal, entire, exact, and perpetual obedience," &c. And again, §2: "This LAW, after his fall continued to be a perfect rule of righteousness," &c. And again, §3: "Beside this LAW, commonly called *moral*, God was pleased," &c. In these places, it is evident that the framers of the Confession did not intend to use the term "covenant" in its strict and proper sense, but as synonymous with *law*, and as expressive of the same thing as the "*moral* law" which was given to Adam as a moral agent; and in

this sense, it denotes the *law*, or *constitution* under which man was placed. My answer, therefore, is, [1.] that the *term* covenant is not applied to the transaction in the Bible—which is all that I affirmed; and [2.] that I hold the substantial doctrine on the subject—the same statement of *facts* about the effect of Adam's sin on his posterity which occurs in the Confession of Faith.

2. In regard to the other term—"representative"—I remark in general, that its use was avoided for the same reasons which have led me to prefer *not* to use the terms "covenant" and "federal head." My *specific* defence against this charge, however, is this. (*a*) The terms *representative* and *representation*, are not to be found in the Bible as applicable to this transaction. In expressing my views of this transaction, I have supposed it better, for the purposes which I had in view, to confine myself as strictly as possible to the language of the Scriptures. (*b*) The term, so far as I know, is not to be found in the Confession of Faith, or the Catechisms of the church. I have not felt myself called on, therefore, to make use of this term in order to maintain my orthodoxy; nor is it easily seen how a failure to do this can be construed into heresy. (*c*) The term most obviously, and to most minds inevitably conveys an idea, which never *could* have existed in regard to the transaction with Adam. I mean *the consent of those who are represented.* Now it is evident that no such consent of the posterity of Adam that he should act for them; no appointment of him by themselves to act as their representative, could ever have existed. In this transaction they were not consulted; nor were they apprised of any such arrangement. I say that the word most obviously, and to most minds inevitably conveys this idea. A representative is defined to be "an agent, deputy, or substitute, who supplies the place of another, or others, *being invested with his or their authority.* *Webster.* This idea is familiar to us. An *attorney* is the representative of his client, or employer. "Attorney is an ancient English word, and signifieth one that is set in the turn, stead, or place of another,—whose warrant from his master is ponit loco suo talem attornatum suum, which setteth in his own turn or place such a man to be his attorney." *Coke upon Littleton*, iii. p. 352. A member of the house of commons, or of the house of representatives is the representative of his constituents. An ambassador is the representative of his government or nation abroad. In all these, and in all the other cases of *agency* the obvious and natural idea is, that there has been a delegation of authority or power to act in the case from the person or persons in behalf of whom the representative acts. Where

there is a departure from this, or where the agent exceeds his instructions, the representative character of his doings is destroyed, and becomes void. "If the agent does what he is authorized to do, and something more, it will be good as far as he was authorized to go, and the excess only would be void." II. Kent, p. 19. "The princip l cannot be bound if the agent exceeds his power." Ibid 620. This principle in regard to agency, that the power to act is founded on "contract either express or implied," is abundantly stated in the books that profess to treat on the subject. I beg leave particularly to read from Kent's commentaries, vol. ii. p. 613, 614, 615, 616, 617: "Agency is founded upon a contract either express or implied, by which one of the parties confides to the other the management of some business, to be transacted in his name, or on his account, and by which the other assumes to do the business, and to render an account of it. The authority of the agent may be created by deed or writing, or verbally without writing; and for the ordinary purposes of business or commerce, the latter is sufficient. The agency may be inferred from the relation of the parties, and the nature of the employment, without proof of any express appointment. *It is sufficient that there be satisfactory evidence that the principal employed the agent, and that the agent undertook the trust.* The extent of the authority of an agent will sometimes be varied or extended on the ground of implied authority, according to the pressure of circumstances, connected with the business with which he is entrusted.

"The agency must be antecedently given, or subsequently adopted; and in the latter case there must be some act of recognition. But an acquiescence in the assumed agency of another, when the acts of the agent are brought to the knowledge of the principal, is equivalent to an express authority. Thus, where a person sent his servant to a shop-keeper for goods upon credit, and paid for them afterwards, and sent the same servant again to the same place for goods, and with money to pay for them, and the servant embezzled the cash, the master was held answerable for the goods, for he had given credit to his servant by adopting his former act. It is the prior conduct of the principal that affords just ground to infer a continuance of the agency in that particular business; and the rule is founded on obvious principles of justice and policy."

It has been said indeed that a representative may be appointed to act for a people, very few of whom concur in his appointment. Thus it is said that "Under the British constitution, not a twenty-fifth part of the people have the right of suffrage, and yet the

parliament is regarded as representing the whole nation, and their acts binding on all. In France the proportion is still less. And in our own country not more than one-sixth of the people have a voice in the choice of the representatives of the people." Bib. Rep. vii. 333. 334. To this, the reply is obvious. *Consent, contract* of some kind is essential to the idea of representation in England, France, and America alike. The moment a man should claim the right of acting as representative *without* the proper form of consent, and contract, his claim would be rejected at once. Further, it is in fact, in these cases a contract not only with the party who may appoint, or the small number of voters, but it is the consent of the nation who have adopted the constitution that it *shall be* thus governed. Every man who chooses to live under such a government gives his *consent* to this arrangement; and though he may have his preferences in regard to individuals, yet he consents that the man who shall be chosen in accordance with the provisions of the constitution, shall be *his* representative, and consents to be bound by his acts. The moment this doctrine is denied, the idea of representation ceases. If he does not *consent* to be bound by his acts, though he might individually prefer another, one of two things would follow either he must withdraw from the nation and place himself beyond its jurisdiction, or he must be regarded as rearing the standard of rebellion, and defy its laws.

There is a more remote sense in which the word *representative* is sometimes used, though in a loose and unauthorized manner. It is where it is applied to a guardian in law to manage the affairs of a minor. [Bib. Rep. vii. 334.] But in this case the idea of *representation* ceases, and it is believed that the term is not applied to the transaction in the books which treat on the subject. The idea of guardianship, not of representation, is that which is conveyed and retained in the appointment. The court of chancery acting for the country takes the place of the natural parent, to do what the natural parent would do, and makes the appointment, and as the true idea in relation to my parent's acting is not that he is my representative, so is the true idea of a guardian. See II. Kent, 219. Who would think of calling his *father* his representative? In what laws, or language of men, is this term used in this relation? In testamentary guardianship, where a guardian is appointed by the will of a father, the guardian might be called the representative of the father, though this language is not in fact used in the courts, but in no conceivable sense as the representative of the child. See II Kent 224. A *legal* representative is never an ancestor, a parent, or a guardian, but an *heir* is in law called a

legal representative, as he, by a fiction of the old Roman law is supposed to represent the *person* of the ancestor, where it was held, as Kent says, "by a strange feature of law, that the heir was the same person as the ancestor." IV. Kent 379. Affected I may be with the loss of character, property, and health, by the conduct of a father or a guardian, yet it is not by the idea of representation, but by a constitution of things to be called by another name. I do not regard myself as blameworthy, nor do I suppose that the appointment to act as a representative, was ever made. Comp. II. Kent 219, &c.

Now, I admit, that to this arrangement in human government, and in the divine government, I cheerfully submit. I admit the authority of a court to appoint a man to act as guardian in the place of the natural parent, or as the representative of the state, who on the death of the parent becomes in loco parentis to the child. I admit the perfect propriety of God's appointing the existing state of things as a moral governor, and so ordaining as that the conduct of Adam should affect the character and destiny of all his posterity; but to call either the one or the other a representative, is a violation of one of the essential principles of such a representation; it stands apart from the common use of language; from the common sense of men; and from an original, deeply fixed principle in the human mind; and in all law this consent or appointment is essential to all proper ideas of agency, or representation.

With great propriety, therefore, and in entire accordance with all the modes of speech and thinking among men, has the Bible—and the Confession of Faith also—abstained from the use of the term representative as applied to the transaction with Adam. How my neglecting to employ such a term can be construed as heresy, is a question of difficult solution. Our Confession of Faith was drawn up by men admirably skilled in the use of language. The terms which are employed are, usually at least, employed with great precision, and with admirable guards against misconstruction. The men who framed it were profoundly acquainted with the English tongue, and expressed their ideas with great accuracy. That the term is found in books of theology is undeniable; but the only inquiry of any moment here is, whether it is to be found in the Bible, or the Confession of Faith. The use of the term in the books of theology, I have ventured to call a mere "philosophical speculation." Notes, p. 128. Whether in thus urging the propriety of using language as it is found in common life, in the lexicons, in books of law, the Bible, and the Confession of Faith, I have acted erroneously, remains for the Presbytery to judge.

Such was the defence in regard to this charge which I made before the Presbytery. In that defence, I judged it proper, as my trial was to be on the "Notes on the Romans" as they were at first published, to state the reasons why the statements were made which I did make. On that defence the Presbytery acquitted me of holding any dangerous error, or heresy; or, in other words, judged that I had not departed materially from the "system of doctrine taught in the holy Scriptures." Since that time, however, I have made some changes in the exceptionable passages in the Notes on the Romans, which I trust will remove all cause of offence, and produce peace. Those changes I have made for reasons which I have stated in the preface to the corrected edition, and which are briefly these: 1. Some of the expressions in the former editions had been misunderstood; some I have since seen to have been ambiguous; and some have given offence. I have found that without abandoning any principle of interpretation, or any views of doctrine, which I *wished* to express, I could change them in a manner that would more clearly convey my meaning. 2. A sincere desire to do all in my power to allay excitement, and to produce peace, and restore confidence in the churches, has led to the wish to make my work as little exceptionable as possible. Where brethren have been offended; where the expressions were ambiguous, or where a different phraseology would remove the cause of offence, I have felt it my duty and *privilege* to make a change, and have done it. 3. The trial before the Presbytery showed *exactly* where changes were desirable, if they could be made. It made me acquainted with the precise nature and extent of the objections to the book. Before this trial I could not have made them so well; and after the charges were brought, and while the trial was pending, I felt that it would appear as if I were *driven* to an abandonment of principle, if I should make the alterations. When the trial was complete, and my Presbytery had acquitted me, I then felt that it was a proper time for me to endeavor to allay the excitement, and to silence the voice of alarm. The *motives* which led to those changes, were, a sincere desire to do all in my power to promote peace, and to make my work better. Both I thought might be done, and the attempt has been sincerely made, with an expectation that the alterations might be satisfactory to all.

In the changes which have been made on this subject, I desire it may be distinctly adverted to, that I have omitted, 1. *All* that has been excepted against, in regard to the use of the words "covenant-head," and "representative." In place of the statements on this subject which have given offence, other state-

ments have been introduced, which accord, so far as I know, with the doctrines every where now held, which express views that I have always entertained, but which, I admit, were not fully expressed in the former editions. 2. The exception which was taken to the expression in the Confession of Faith, "they sinned IN him,"[p. 117] has been removed. and in the place of that, the following phraseology has been substituted, viz. [p. 117.] "As his posterity had not then an existence, they could not commit actual transgression. Sin is the transgression of the law by a moral agent; and as the interpretation '*because* all have sinned' meets the argument of the apostle, and as the Greek favors that certainly *as much* as it does the other, it is to be preferred." On this subject, it is hoped that all cause of offence is taken away. And as that was the *only* expression in the Confession of Faith to which exception was formally taken in the Notes on the Romans, the change which is now made has removed all cause of offence on this subject. 3. A similar change has been made in pp. 120, 121, on which the fifth charge is partly based, where it was denied that Adam "was the *federal head*, or *representative* of the race." Instead of this statement, the following has been substituted, in which that denial is wholly omitted, viz.: pp. 120, 121. "The reason is, that Adam was the first of the race; he was the fountain, the head, the father; and the consequences of that first act could be seen every where. By a divine constitution the race was so connected with him that it was made certain, that if he fell, all would come into the world with a nature depraved, and subject to calamity and death, and would be treated as if fallen, and his sin would thus spread crime, and wo, and death, every where. The evil effects of the apostacy were every where seen; and the object of the Apostle was to show that the plan of salvation was adapted to meet and more than countervail the evil effects of the fall. He argued, &c." 4. In regard to the relation which Adam sustained to his posterity, a very important change has been made in this edition. The 128th page, in which the exceptionable statements were made, on which the charge is based, has been entirely cancelled, and the following substituted in its place, viz.:

"The following remarks may express the doctrines which are established by this much-contested and difficult passage. 1. Adam was created holy; capable of obeying law; yet free to fall. 2. A law was given him adapted to his condition—simple, plain, easy to be obeyed, and fitted to give human nature a trial in circumstances as favorable as possible. 3. Its violation exposed him to the threatened penalty as

he had understood it, and to all the collateral woes which it might carry in its train—involving, as subsequent developements showed, the loss of God's favor; his displeasure evinced in man's toil, and sweat, and sickness, and death; in hereditary depravity, and the curse, and the pains of hell forever. 4. Adam was the head of the race; he was the fountain of being; and human nature was so far tried in him that it may be said he was on trial not for himself alone, but for his posterity, inasmuch as his fall would involve them in ruin. Many have chosen to call this a covenant, and to speak of him as a federal head; and if the above account is the idea involved in these terms, the explanation is not exceptionable. As the word covenant, however, is not applied in the transaction in the Bible, and as it is liable to be misunderstood, others prefer to speak of it as a *law* given to Adam, and as a divine constitution under which he was placed. 5. His posterity are, in consequence of his sin, subjected to the same train of ills as if they had been personally the transgressors. Not that they are regarded as personally ill-deserving, or criminal for his sin. God reckons things as they are, and not falsely, [see Note ch. iv. 3,] and his imputations are all according to truth. He regarded Adam as standing at the head of the race; and regards and treats all his posterity as coming into the world subject to pain, and death, and depravity, as a consequence of his sin. See Note, p. 122. This is the Scriptural idea of imputation; and this is what has been commonly meant when it has been said that "the GUILT of his first sin—*not the sin itself*—" is imputed to his posterity." 6. There is something antecedent to the moral action of his posterity, and growing out of the relation which they sustain to him, which makes it certain that they will sin as soon as they begin to act as moral agents. What this is we may not be able to say; but we may be certain that it is not physical depravity, or any created essence of the soul, or any thing which prevents the first act of sin from being voluntary. This hereditary tendency to sin has been usually called "Original Sin;" and this the apostle evidently teaches. 7. As an infant comes into the world with a certainty that he will sin as soon as he becomes a moral agent here, there is the same certainty that if he were removed to eternity he would sin there also unless he were changed. There is, therefore, need of the blood of the atonement and of the agency of the Holy Ghost, that an infant may be saved. 8. The *facts* here stated accord with all the analogy in the moral government of God. The drunkard secures as a result commonly that his family will be reduced to beggary, want, and woe. A pirate, or

a traitor will whelm not himself only, but his family in ruin. Such is the great law or constitution on which society is now organized; and we are not to be surprised that the same principle occurred in the primary organization of human affairs. 9. As this is the fact every where, the analogy disarms all objections which have been made against the Scriptural statements of the effects of the sin of Adam. If just *now*, it was just *then*. If it exists *now*, it existed *then*.

These passages express my real sentiments; and are now a part of the book. So far as I know, they express the doctrine of the Bible; and the main or essential doctrine of Calvinism as set forth in the Confession of Faith, and as understood by the great mass of ministers in the Presbyterian church. All that can be reasonably asked of a man who has in any manner expressed himself so as to be misapprehended, or so as to give offence, is that the cause of the offence should be removed. Desirous of doing this, and of stating more clearly what I have always believed, I have made the alterations noticed above, and which I believe will be satisfactory to the great mass of ministers and members of the churches. I may just remark, that those alterations were made before the meeting of the Synod, and that this statement was designed to constitute a part of my defence.]

Charge VI.

The sixth charge is, "That I deny that the first sin of Adam is imputed to his posterity."

Proof 1. p. 10. "A melancholy instance of this [substituting theory for fact] we have in the account which the apostle gives (ch. v.) about the effect of the sin of Adam. The simple *fact* is stated that that sin was followed by the sin and ruin of all his posterity. Yet he offers no explanation of the *fact*. He leaves it as indubitable; and as not demanding an explanation in his argument, perhaps as not admitting it. This is the whole of his doctrine on that subject. Yet men have not been satisfied with that. They have sought for a theory to account for it. And many suppose they have found it in the doctrine that the sin of Adam is *imputed*, or set over by an arbitrary arrangement to beings otherwise innocent, and that they are held to be responsible for a deed committed by a man thousands of years before they were born. This is the *theory*, and men insensibly forget that it is *mere theory*."

Proof 2. p. 117. (3.) "It comports with the apostle's argument to state a cause *why* all died, and not to state that men sinned *in* Adam. It would require an *additional statement* to see how *that* could be a cause. (4) The expression, 'in whom all have sinned,' conveys no intelligible idea. As men had not an existence then in any sense, they could not then sin. What idea is conveyed to men of common understanding, by the expression, 'they sinned in him?' The meaning of the expression, therefore, clearly, is, *because* all have sinned all die."

"I understand it, therefore, as referring to the fact, that men sin, *sin in their own persons—sin themselves*—as indeed, how *can* they sin in any other way?—and that *therefore* they die."

Proof 3. p. 119. "The difference contemplated, Rom. x. 14, is not that Adam was an *actual* sinner, and that *they* had sinned only by *imputation*. For (1). The expression to sin by imputation, is unintelligible and conveys no idea. (2) The apostle makes no such distinction and conveys no such idea. (3) His very object is different. It is to show that they *were actual sinners*; that they transgressed law; and the proof of this is that they died. (4.) It is utterly absurd to suppose that men from the time of Adam to Moses were sinners *only by imputation*."

Proof 4. p. 119. "Death reigned; and this proves that they were sinners. If it should be said that the death of *infants* would prove that *they* were sinners also, I answer—(a) That this was an inference which the *apostle* does not draw, and for which he is not responsible. It is not affirmed by him. (b) If it did refer to infants, what would it prove? Not that the sin of Adam was imputed, but that they were *personally* guilty and transgressors. For this is the only point to which the argument tends. The apostle says not one word about imputation. He does not even refer to infants by name; nor does he here introduce at all the doctrine of imputation. All this is mere philosophy introduced to explain difficulties; but whether true or false; whether the theory explains or embarrasses the subject, it is not needful here to inquire. (3) The *very expression* here is against the supposition that infants are intended, and that the sin of Adam is imputed to them. The doctrine of imputation has been, that infants were personally guilty of Adam's sin; that they 'sinned in him;' that there was a *personal identity* constituted between them and Adam, (see Edwards on original sin); and that therefore *his sin* was *theirs* as really and truly as if committed by themselve . Yet here the apostle says that those of whom *he* was speaking had *not* sinned 'after the similitude of Adam's transgression. But if the doctrine of imputation be true, it is certain that they not only *had* sinned after the similitude of his transgression, but had *sinned the very identical sin*. It was precisely *like* him; it was the very thing itself: and they were answerable for that very sin as their own. This doctrine, therefore, cannot be intended here."

Proof 5. p. 121. "Nor have we a right to *assume* that this [ver. 15] teaches the doctrine of the imputation of the sin of Adam to his posterity. For (1) the apostle says nothing of it. (2) That doctrine is nothing but an effort to explain the *manner* of an event which the apostle Paul did not think it proper to attempt to explain. (3) That doctrine is in fact no explanation. It is introducing an additional difficulty. For to say that I am guilty of the sin of another in which I had no agency, is no *explanation*, but is involving me in additional difficulty still more perplexing, to ascertain how such a doctrine can possibly be just."

Proof 6. p. 127. "The word is *in no instance* used to express the idea of *imputing that to one which belongs to another*. It here either means, that this was *by a constitution of divine*

appointment that they in fact became *sinners*, or simply declares they *were* so in fact. There is not the slightest intimation that it was by imputation."

Proof 7. p. 128. As quoted under V. p. 10.

How inconsistent all this is with the Standards, will be seen in Con. Chap. VI. iii. iv. Lar. Cat. 22, 25. Sh. Cat. 18.

My general reply to this charge is, that it is no where taught in the Confession of Faith that "the first sin of Adam" was "imputed to his posterity;" or that his sin at all was imputed. The doctrine is there stated to be that "THE GUILT of this sin was imputed, and the same death in sin and corrupted nature conveyed to all their posterity descending from them by ordinary generation." Conf. of Faith ch. vi. § 3. And Lar. Cat. q. 25. "The sinfulness of that estate whereinto man fell, consisteth in THE GUILT of Adam's first sin," &c. And Sh. Cat. q. 18. This may appear to be a *minute* distinction, but it is a real one, an accurate one, and a very material one. To imput *sin itself* to a man is one thing; to impute the *obligation to punishment*, is another thing. The latter is the doctrine of the standards; the former is not. And the fact that the denial of the former, is charged on me as a departure from the standards, shews, with other things, the exceedingly loose and ill-digested manner in which these charges have been drawn up.

But in order to meet this charge more fully, it is necessary for me to explain a little more at length what I actually meant to deny in the portions of my books which are referred to. In order to this, it is proper to observe that there have been *three* principal theories defended in regard to the relation which we sustain to Adam.

The first is, that which may be denominated as the doctrine of the abler Calvinistic writers. It consists in the statement that the posterity of Adam are not condemned for his sin as being the sin of another charged on them, but *as truly and properly theirs;* that they are subject to condemnation not as in themselves innocent beings made guilty by imputation, but as being guilty, or *ill-deserving*, and *thus* condemned, for a sin which *they* are reckoned to have committed IN their head and representative; that they are regarded as having in fact committed that sin, and as deservedly to be punished for it. According to this view, God's imputations are according to truth, and the posterity of Adam are condemned because they *deserve* to be condemned; and are personally blameworthy for Adam's sin as being one with him, so that it is in fact their own. In order to explain and defend this, the advocates of this doctrine resorted to the theory that there is a personal identity constituted between Adam and his posterity, in the

same way as God has "*arbitrarily*" [Edwards] constituted an identity between A. when a child, and A. when forty years of age; by which A. at forty is responsible for the acts of A. at twelve; because, having been *constituted* the same person he *deserves* to be so held as responsible. In like manner, it was held, that by an "arbitrary" arrangement, or constitution, an identity was constituted between Adam and his posterity, so that they are to be held responsible for his acts. The *peculiarity* of this theory, in contradistinction from that which I shall next mention is, that men are condemned not for the sin of another, but for a sin which is *truly* and *properly theirs;* that they are *blameworthy* for the sin of Adam; that they are subjected to *punishment* for it on the same principle as the murderer of yesterday is punished to day for the crime; that God's imputations are therefore strictly according to truth; that he reckons things as they are; and adjudges those to be guilty only who are guilty. In this theory, therefore, when the older writers speak of *imputation*, they mean that God imputes to men only what properly belongs to them; when they say we are guilty of Adam's sin, they mean that we are under obligation to punishment strictly for antecedent *crime* and *ill-desert*; and when they speak of punishment, they mean those penal ills which are the proper expression of the indignation of a moral governor against personal demerit and crime. Every thing in this theory is consistent, and carried out, and language is used in its obvious and acknowledged sense.

It has been denied that this doctrine was that of the older Calvinists. [See Bib. Rep. vii. 327—331; ii. 436—439, &c.] I admit that there is some confusion of language in the older writers, and that perhaps their statements are not always consistent. My object is to show, by extracts, that this was a theory that was held.

I begin with Edwards, who in a profound treatise on original sin, may be presumed to have examined the statements of his predecessors. His doctrine is in the following words:

"I think it would go far towards directing us to the more clear conception and right statement of this affair, were we steadily to bear this in mind: That God in every step of his proceeding with Adam, in relation to the covenant or constitution established with him, looked on his posterity as being *one with him.* And though he dealt more immediately with Adam, it yet was as the *head* of the whole body, and the *root* of the whole tree; and in his proceedings with him he dealt with all the branches as if they had been then existing in their root.

"From which it will follow, that both guilt or exposedness to punishment, and also depravity of heart, came upon Adam's posterity just as they came upon him, as much as if he and they had all co-existed, like a tree with many branches; allowing only for the difference necessarily resulting from the place Adam stood in as the head and root of the whole. Otherwise, it is as if, in every step of proceeding, every alteration in the root had been attended in the same instant with the same alteration throughout the whole tree, in each individual branch. I think this will naturally follow on the supposition of a *constituted oneness or identity* of Adam and his posterity in the affair." pp. 542, 543.

"From what has been observed it may appear that there is no sure ground to conclude, that it must be an absurd and impossible thing for the race of mankind truly to partake of the *sin* of the first apostacy, so as that this, *in reality and propriety*, shall become *their* sin; by virtue of *a real union* between the root and branches of mankind, [truly and properly availing to such a consequence,] established by the Author of the whole system of the universe; to whose establishments are owing all propriety and reality of union, in any part of the system; and by virtue of the full *consent* of the hearts of Adam's posterity to this apostacy. *And therefore the sin of the apostacy is not theirs merely because God imputes it to them;* BUT IT IS TRULY AND PROPERLY THEIRS, *and on that ground God imputes it to them.*" p. 559.

And in support of this doctrine of *constituted oneness* or *identity*, Edwards enters into a protracted metaphysical argument to prove that *all* identity is constituted in the same way by the arrangement of God; and that personal identity, and so the derivation of the pollution and guilt of past sins in the same person, depends *on an arbitrary divine constitution* (pp. 549—557); and therefore that God may "establish a constitution whereby the natural posterity of Adam, proceeding from him, much as the buds and branches from the stock or root of a tree should be treated as *one* with him," &c. p. 557. The essential idea in the theory of Edwards is, that there is a constituted oneness or identity between Adam and his posterity, constituted in the same way as *personal* identity is every where; and that his sin *is truly and properly theirs*, and is *therefore* charged on them; and that this sin so charged on them is *distinct* from their original corruption and depravity. This he expressly states on p. 543.

That the same was the doctrine of Stapfer, an eminent divine of Zurich, in Switzerland, is proved abundantly by Edwards' Works, vol. ii. p. 545: "Sec-

ing all Adam's posterity are derived from their first parent as their root, the whole of the human kind with its root, may be considered as constituting but one whole or mass," &c. "Seeing, therefore, that Adam with all his posterity constituted but *one moral person*, and are united in the same covenant, and are transgressors in the same law, they are also to be looked upon as having in a moral estimation, committed the same transgressions of the law both in number and in kind."

Thus Calvin says [Comm. on Rom. v. 17] that "by the sin of Adam we are condemned, *not* by imputation alone, as if the punishment due to another's guilt were exacted from us, but we endure his punishment because we are chargeable with his criminality, since our nature being vitiated in him is chargeable with the criminality of iniquity—"non per solam imputationem damnamur, acsi alienâ peccati exigeretur a nobis poena; *sed ideo poenam ejus sustinemus* QUIA ET CULPAE SUMUS REI. The same doctrine Calvin teaches in his Institutes B. 11, ch. 1. 38. "And this liableness to punishment," says he, "arises not from the delinquency of another, neque est alieni delicti—for when it is said that the sin of Adam renders us obnoxious to the divine judgment, it is not to be understood as if we, though *innocent*, were undeservedly loaded with the guilt of his sin. Wherefore Augustine, though he frequently calls it the sin of another, the more carefully to indicate its transmission to us by propagation, yet at the same time he also asserts it properly to belong to each individual, *proprium unicuique*." "And therefore," he continues, "infants themselves, as they bring their condemnation into the world with them, are rendered obnoxious to punishment *by their own sinfulness, not by the sinfulness of another*." Idem.

Stapfer, also lays down the doctrine of original sin in the same manner. "God, in imputing this sin, *finds* the whole moral person (the human race) ALREADY *a sinner*, and NOT merely constituted as such." Polem. Theo. ch. xvi. 63.

Boston [Body of Divinity, vol. 1, p. 308,] says,—"Adam's sin is imputed to us *because it is ours*. For God doth not reckon a thing to be ours which is not so; for God's justice doth not punish men for a sin which is in no way theirs. As, if a person that has the plague infect others, they die by their own plague and not by that of another."

Turretin held the same doctrine—that we are condemned for his sin because it is properly *ours*, and because we are ill-deserving. Thus, speaking of all as dying in Adam, he says, "They have sinned in him, and are bound with him (communi culpa) in a

common criminality, for no one can *deserve* (mereri) death, unless he has *with* him (Adam) and *in* him a *common sin*, which is the cause of death. So that we are said to sin in him, not merely in the way of *efficiency*, as the cause by which sin is propagated, but as in the way [demeriti] of ILL-DESERT." Theol. p. 633. Again. "Justice," says Turretin, "does not inflict *punishment* except upon him who *deserves* it: [merenti] for in the imputation of Adam's sin, the justice of God does not inflict punishment upon him that does not deserve it, [immerenti] *but upon him that* DOES DESERVE IT [merenti]. P. 637.

The sentiments of these men, who were surely competent to state what old Calvinism was, cannot be mistaken. Their doctrine was, that men are condemned for the *sin* of Adam, not as charged or imputed to them being innocent, but as being a sin *truly and properly theirs*. There was a *oneness* constituted between them and Adam; and they were reckoned as having sinned in him, and as being ILL-DESERVING or *criminal* for the offence.

Believing this to be the form of the Calvinism of the older schools; regarding these men as competent to explain what they meant, it was my intention to express my dissent from it; and I wish now to be understood as so doing. Without entering at large into the reasons *why* I did this, I may state in general that I did it because 1. I did not find it in the passages on which I was commenting, nor elsewhere in the Bible. 2. I regarded it, notwithstanding the ingenious reasoning of Edwards, whose opinion I do not readily or willingly dissent from, on any subject, as a violation of the principles of common sense, and at war with the common apprehensions of men. All our notions of *identity* are confounded by it, and all our views of justice destroyed. If an identity can be "arbitrarily" constituted between Adam and his posterity, it may be between any two or more individuals of that race, and *justice* would be confounded and perverted forever. It would be impossible to have any clear and determinate notions of moral agency, of law, of the use of conscience or consciousness; would confound all our conceptions of justice, and all ideas of distinct personality, and throw society into a common mass, where an arbitrary being might cause his judgments to descend on any individuals on whom he might choose to charge the crime, and over whom he might choose to distribute criminality. Every man feels that identity cannot be thus constituted; and to attempt to make laws, under such a system of things, would be a burlesque on legislation. 3. I supposed that the doctrine was abandoned by the great mass of ministers and members of the Presbyterian church, and was held by few in these times. And 4. I found

that it was expressly abandoned and disclaimed by those whom I had been accustomed to regard as my instructors in the doctrines of religion. Thus the *Biblical Repertory* expressly disclaims it. [Vol. ii, p. 90.] Speaking of Adam's sin, it is said that "his voluntary act may be reckoned that of his descendants not indeed *strictly* and *properly*, [for those not born could not perform an act." And again, vol. ii. p. 436 —" We deny that his act was properly and personally our act; and that the *moral turpitude* of that sin was transferred to us." The doctrine here is, that men are not blame-worthy or *ill-deserving* on account of the sin of Adam. 5. The conductors of the Biblical Repertory inform us that *this* is the prevalent and uniform doctrine of "old Calvinists of different denominations" in this country. And again, [vol. ii, p. 448,] they say, "the doctrine of the imputation of Adam's sin includes neither the idea of any mysterious union of the human race with him, so that his sin is strictly and properly theirs, nor that of a transfer of moral character." And in vol. ii, p. 91, they say that "personal acts cannot be transferred;" and that "the *ill-desert* of one man cannot be transferred to another;" which is saying, in almost so many words, that we cannot be regarded as *ill-deserving* or *criminal*, for the sin of Adam—the very doctrine which I designed to teach. See also Bib. Rep. iii, p. 410. 6. The same thing is stated, and the same doctrine of the older Calvinists rejected, in a Tract on Presbyterianism by Dr. Miller, published by the "Doctrinal Tract Society of the Synod of Philadelphia," pp. 36, 37.

The second theory on the subject of imputation is the following; and is supposed to be a very prevalent opinion in the Presbyterian church. It consists in the doctrine that the sin of Adam is not reckoned or imputed to his posterity as *truly* and *properly theirs*, as that for which they are blame-worthy or ill-deserving, but is theirs simply by imputation, or putatively; that a sin is reckoned to them, or charged on them, which they never committed, and that they are subjected to punishment for that sin without being personally or really to blame. A part of this punishment is said to consist in *the sin itself* with which man comes into the world, and a part in the penal sufferings to which he is subjected in this life and the world to come, and which are in all respects the same as if the infant had himself committed the sin. This is said to be by a sovereign arrangement of God appointing Adam to be in all respects the representative of his posterity. This statement is that which is made in the Biblical Repertory, vol. ii, p. 90—"his (Adam's) voluntary act may be reckoned that of his descendants, not indeed strictly and properly, [for those not

yet born could not perform an act,] but *impuatively*, or by imputation; for this act was not only imputed to Adam, but to all his posterity." Again. "To impute a sin, is to hold the person bound to suffer punishment." Idem. Again, p. 91, "Although the ILL-DESERT of one man cannot be transferred to another, the punishment due to one can be inflicted on another." Again, vol. iii, p. 410, "Hereditary depravity follows as a penal evil from Adam's sin, and is not the ground of its imputation to men." So Dr. Miller, p. 36, as referred to above. It would be easy to go on to almost any length in making quotations to show that this is now the current doctrine in the Presbyterian church.

In regard to this doctrine I may observe:

1. That it is an abandonment of the ground of the older Calvinists. It is expressly stated that they do not regard the race as Edwards, Satpfer, &c. did, as one with Adam, by a personal identity constituted by God; it is affirmed that his sin is *not* truly and properly ours; that the *ill-desert* of that sin is *not* transferred to us; that we are *not* really and properly *criminal* for it. Now, this is an evident and open departure from the doctrines of the older Calvinists on the subject, who held, as we have seen, that the sin is *truly* and *properly ours*, and that God reckons it to us because it properly belongs to us as our own. Turretin says, "The ill-desert of Adam is transferred to his posterity." Bib. Rep. vol. iii, p. 436. This theory says it is not.

2. This theory appears at least to be a departure from the Confession of Faith. The language of the standards of our church was evidently derived from the theory that the sin of Adam *was* truly and properly ours. Thus it says, "All mankind sinned in him, and fell with him."

3. It employs the word *impute* in an unscriptural sense. In the Bible the word denotes to reckon, to charge on, to impute according to truth, not according to falsehood. God's reckonings are according to *truth*, and not according to error; and when God reckons a creature *to have* committed an act it is only where the act *has* in fact been committed; where he imputes sin to man it is only where sin exists. He indeed *reckons* man to be so connected with Adam as to be involved in the consequences of his sin; *but this is to reckon things as they are, and not as they are not.* In the theory which we are now considering, man is *reckoned* as having committed a sin which, in the same breath, we are told he *never committed;* he is charged with a crime, for which, in the same breath, we are told he is not to blame; he is punished and reckoned fit to be punished, for an offence in which,

at the same moment we are told he had no agency. Now, whatever *other* objections may be against this theory, and whatever may be said in its favor, one thing is certain, it is a departure from the scripture meaning of the word impute. In *all* cases, the Hebrew hashab and the Greek logizomai mean to reckon, and esteem, and impute things *as they are*, and not according to falsehood, not *to set over*, or to charge on a man what does not belong to him. This will be seen to be the sense of the word by examining the places where it occurs. In the Old Testament, the word hashab rendered by the word logizomai occurs only in the following places: 1 Sam. xviii. 25; Est. viii. 3; ix. 24, 25; Isa. liii. 3, 4; xxxiii. 8; Jer. xlix. 20; l. 45; Lam. ii. 8; 2 Sam. xiv. 13, 14; Jer. xlix. 30: Gen. l. 20: Job xxxv. 2; Eze. xxxviii. 10; Jer. xviii. 8; Psa. x. 2; xxi. 12; cxli. 3, 5; Jer. xi. 19; xlviii. 2; Amos vi. 5; Jer. xxvi. 3; Micah ii. 3; Neh. i. 11; Jer. xviii. 11; Job xiii. 34; xli. 19, 24; Ps. xxxii. 2; xxxv. 5; Isa. x. 7; Job xix. 11; xxxiii. 10; Gen. xvi. 6; xxxviii. 15; 1 Sam. i. 13; Ps. lii. 4; Jer. xviii. 8; Zech. vii. 10; Job vi. 40; xix. 16; Isa. xiii. 17; 1 Kings x. 21; Num. xviii. 27, 30; Ps. lxxxviii. 4; Isa. xl. 17; Lam. iv. 2; Isa. xl. 15; Gen. xxxii. 6. The word properly means *to think, intend, or purpose; to imagine, invent, or devise; to reckon or account; to esteem or impute* what belongs to one, or to reckon it *as* belonging to him. By examining all these passages, it will be found that whenever *it is applied to God* it always denotes *to reckon, or esteem, or impute things just as* THEY ARE, and not falsely, or as they are not. Applied to God it *never* means that he charges on man that which does not belong to him, or that which *ought* not to be charged to him. The word occurs about forty times in the New Testament, and always in a similar sense. A single illustration from a well-known and often-quoted passage, may express the sense of this word in the Scriptures. In the epistle to Philemon, ver. 18, Paul says of Onesimus, "If he hath wronged thee, or oweth thee aught, put that on mine account"—touto emoi ellogai—impute it, or reckon it to me. This passage is often adduced as teaching that that was to be reckoned to a man which did not belong to him; that the word *impute* may denote to charge that on a man which is not his own; and that therefore, as this was done in this case, it might be proper for God to do this on those who are personally innocent. The argument is, that if it might be done in charging on Paul a *wrong*, or *debt*, which was not his own, then it might be done by an arbitrary arrangement on the personally innocent posterity of Adam. But the fallaciousness of this reasoning may be seen from two considerations.

1. Paul ASSUMED the wrong and the debt *before* it was to be charged on him, or imputed to him. This intermediate step of *assumption* is a very material one, and changes the whole face of the affair. When a man *assumes* a debt and *promises* to pay it, it becomes *his own debt;* it is *due from him;* he binds himself to pay it; and though the debt was not contracted by him at first, yet it is *his* by assumption, and the law *therefore* holds him bound to pay it. So in the case of the "wrong" which had been done by Onesimus. It was not true that Paul had committed it: but he *assumed* the consequences and undertook to make them good. The reckoning or imputation in this case, was therefore strictly in accordance with the truth. Paul *assumed* a debt or a wrong which he had not done personally, and it was to be reckoned to him *as assumed;* that is, JUST AS IT WAS, and not falsely. So if man *assumes* the crime of Adam, or *assents* to it, it may be reckoned to him just as it is—that is *as* assumed or assented to. The propriety of this view is apparent from another consideration. 2. Suppose this wrong or debt had been charged on Paul by Philemon *without* Paul's having assumed it. Suppose that by an "arbitrary" arrangement he had held him answerable for the debt, and had prosecuted him for it. Is there any doubt how a court or jury would decide the case? Would there not be demanded evidence that the debt was for a valuable consideration rendered to him, or had been assumed by him, and that he had bound himself to pay it? No two juries that could be empannelled on the face of the earth would decide differently on the case. Or suppose that the "wrong" which Onesimus had done to Philemon had been slander, or the seduction of his wife, and that Philemon had *charged* or *imputed* the offence to Paul without any expression of his assuming it. Suppose that Philemon had held Paul answerable for the offence, and had published him as a slanderer or seducer. Could there be any difference of opinion among men as to this course? Would it be possible to form two judgments in regard to it? And would not the world look with abhorrence on the charge? The simple truth then is, that things were *reckoned just as they were*, and that the word reckon, or impute, here means this, and this only. The offence was committed, not by Paul, but by Onesimus. Paul *assumed* it, and it was reckoned *just as it was*, AS ASSUMED. And so in regard to all the arrangements of the divine government.

4. It is a violation in almost express terms of the principles of the divine government, as laid down in the Bible. Ezek. xviii. 2, 3, 4, 19, 20: "What mean ye that ye use this proverb concerning the land of Israel, saying, the fathers have eaten sour grapes,

and the children's teeth are set on edge?" That is, 'Why do you charge this as a principle of the divine administration, that the children are punished for the sins of their parents?' That this is the sense is evident, and to reply to this accusation, i. e. to *deny* it, is the object of the chapter. "As I live, saith the Lord God, ye shall not have occasion any more to use this proverb in Israel. Behold all souls are mine: as the soul of the father, so also the soul of the son is mine; *the soul that sinneth, it shall die;*" that is, he shall not die, or be punished for the sin of his father, but because he is personally a sinner. He shall not be held to be blameworthy, or be punished for the sin of another, but because he is himself a transgressor, and deserves to die. "Yet ye say, Why? Doth not the son bear the iniquity of the father?" This is the objection of the dissatisfied Jew; charging the government of God with injustice, and cruelty; *and that charge is, that the son bears the iniquity, or is punished for the sin of his father.* To this God replies: "The soul that sinneth IT shall die. THE SON SHALL NOT BEAR THE INIQUITY OF HIS FATHER; NEITHER SHALL THE FATHER BEAR THE INIQUITY OF THE SON. This is the great, and just, and glorious principle of the divine administration; a principle stated expressly in opposition to the charge that the innocent are punished for the crimes of the guilty; and designed forever to free the divine government from that accusation. It would be impossible in stronger language to state the principle. The same principle is stated in Deut. xxiv. 16: "The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers; *every man shall be put to death for his own sin.*" Comp. II. Kings xiv. 5, 6; Eze. xxxiii. 10, 11, 12.

5. It is an abandonment of the old system, which system was at least *consistent* in its use of language. This theory has retained the *fragments* of a system, and its *language*, but without retaining the *at least* CONSISTENT theory of the scholastic theology in which it was founded. When the old divines used the word *impute*, they understood its Scripture sense, and its common usage, as denoting *charging on a man that which properly belonged to him.* Hence they invented the theory of the strict and proper *oneness*, or *identity* with Adam, and said that his sin is truly and properly *ours*, and THEREFORE is charged on us. There the theory was consistent, and the language Scriptural—whatever may be said of the theory. When they talked of *guilt*, they meant obligation to *punishment*, not obligation to *suffering*—and to punishment for sins deserved by the fact that the sin of Adam *is* truly and properly ours. When they spoke of *punishment*, they used the word in its common significa-

tion as denoting a just suffering of penal evils for sin of which they were *justly* charged because it was their own.

But in the theory now under consideration, we have the *fragments* only of a system; we have *words* dissevered from their proper signification; and doctrines, the absurdity of which were seen as clearly by the older divines as they can be now. We hear in this system of God's imputing to men sins which in no proper sense belong to them—thus departing wholly from the Scripture use of language; we hear of God's *punishing* them for sin when the sin is not strictly their own, and when they are not "ill-deserving;" we hear of their being bound to punishment, or guilty, when they are not "blameworthy:" we hear of *representation* in a sense contrary to that which is used in the language of men, and in all the doctrines of agencies, without the consent or knowledge of these represented; and all this by an arbitrary arrangement of God, unlike any thing which actually occurs elsewhere on earth. Now whatever may be the defects of the old system, it has manifestly many advantages over this. It has the merit of consistency. It retains the Scripture use of language. It uses words as they are employed in common life. So the profound mind of Edwards saw; and greatly as *I* dislike that system, it has so many *consistencies* over that now under notice, that I should greatly prefer it to that which in our time has supplanted it.

6. The theory is liable to a sixth objection, that it makes *sin* both cause and effect. It teaches that the *sin itself*, with which men are born is a *punishment* for Adam's sin. The punishment according to one view is *before* the crime—that is, it is before ill-desert, or criminality; by another, it is regarded as an *effect*, whose cause had no existence. Men are punished *by* sin, *for* a sin which they did not commit, and which is in no sense strictly theirs. But how can justice make punishment precede transgression or ill desert? How can it be right to *create* sin in the soul as a *punishment* for the sin of another? How can we conceive a higher absurdity, than that the holy God should *create* sin in the heart of innocence, as a punishment for the crime of another, charged or imputed arbitrarily on the soul personally innocent, or not personally ill-deserving?

7. The theory explains nothing. It throws no light on a very dark and abstruse subject. It greatly encumbers the plain and acknowledged facts in the case by all the additional embarrassment of a theory which is at variance with the Scripture; with the common use of language, and the common sense of men. It is far less difficult to admit the simple facts in the case, with all their difficulties, than it is with the ad-

dition of a theory that is more embarrassing than the facts themselves, and that explains nothing. For the question, on each application of this theory of imputation to explain the facts, instantly arises, "How can the theory itself be vindicated? How can it be *just* in God to charge that on men which they never committed, and to hold them responsible for, and to punish them for, an act in which they have incurred no *ill-desert?* And how does this *additional* difficulty release us from embarrassment in regard to the fact?"

8. It is mere theory. The doctrine, it is believed, is not to be found in the Scriptures. We may safely leave it to the common sense of the whole world. Not a man, it is presumed, can find the elements of this theory in the Bible. The theory, without caricature, is, that a sin is *imputed* to us, or charged on us, which is not strictly and properly ours. That this is in virtue, if a *representation* in Adam, who acted for us, without our knowledge and consent. That we are held *guilty* for a sin which in no sense we committed, without being chargeable at all with ill-desert. That we are *punished* for a crime which we did not commit; and which is admitted to be in no proper sense our own. That the *punishment* consists in part in *sin* itself with which we are born, and existing previous to moral agency. And yet that, for this sin, we are not bound to exercise repentance, and for it we cannot repent. (Bib. Rep. Vol. II. 460.) As an instance of the *effect* of this doctrine in perplexing and troubling the minds of men, I beg leave to read the passage, as well as to show that while it is held that men are *punished*, they are *punished* in such circumstances that they neither *can*, nor are expected *to be sorry* for that on account of which they are punished. "We have been frequently asked by young men, if we have ever repented of Adam's sin, and have uniformly, to their obvious discomfit, answered in the negative. Knowing the sense in which the question was put, it would have confirmed their misconceptions, to have answered otherwise. We have never so appropriated that sin as to recognise it as properly and personally our own, or as the ground of personal remorse. We have always considered this question as unreasonable as it would be to ask us, if we ever felt self approbation and complacency for the imputed righteousness of Christ."

9. It is a doctrine which will, if preached, greatly embarrass a man's ministry; produce ease in sin; hinder the progress of the gospel; and disgust men of common understanding with christianity. Let a minister proclaim that his hearers are one with Adam, and then common sense will revolt at it. Let them be told that they are personally ill-deserving

for his conduct, committed six thousand years before they were born, and that they acted then, and the infidel will smile. Let them be told that God charges on them a sin which they did *not* commit, and they will say that his charges are confessedly not according to truth, and that it is absurd that they should be held answerable for a crime which they know they did not commit, and for which they are told in the same breath, they ought not to repent. No man would preach this in a revival of religion; no one to an anxious sinner, when he should ask what he must do to be saved. Our Savior never taught it to his disciples; nor did Peter, or Paul, proclaim it, when men trembled under the consciousness of their own crimes, and when they asked what they must do to be saved.

I add, (10.) That the doctrine, as so stated, has been long abandoned by a very large portion of the most able, pious, and useful ministers in this country. It is well known that it has not been held for many years either among the orthodox in New England, or by a very considerable portion of the ministers of the Presbyterian church. I may be permitted here to adduce the testimony of a man of deservedly high reputation; a man never suspected of a departure from orthodoxy; and a man whose authority is high, not only in New England, but in the Presbyterian church—the Rev. Dr. Woods, of Andover. He says: "*The imputation of Adam's sin to his posterity,* in any sense which those words naturally and properly convey, is a doctrine which we do not believe. In Scripture, the word *impute* signifies uniformly, if I mistake not, charging or reckoning to a man that which is his own attribute or act. Every attempt which has been made to prove that God ever imputes to man any sinful disposition or act, which is not strictly *his own,* has, in my judgment, failed of success."—Letters to Unitarians, pp. 44, 45. In stating, therefore, my dissent from this doctrine, I did not suppose that I was departing from the Bible; from the sentiments of the great mass of orthodox divines; or from the essential doctrines of the Confession of Faith. For the Confession is explicit. It does not say that the first SIN of Adam is charged to his posterity, but that the GUILT of that sin is so charged on them. And understanding the word *guilt* as an obligation to suffer evils which were designed to express the Divine displeasure against the sin, I have not denied it, and do not deny it.

The only other form of doctrine relating to the transaction with Adam, which it is needful to notice, is that which I have stated under the previous 'charge,' and which it was my design to teach. It

consists in the admission of the simple *facts*, as they occur, and in the simple statement of the *facts* in the Bible, without an attempt to *explain* them by either the theory of *personal oneness* with Adam, or of charging on man that which in no sense properly belongs to him. If then it be asked whether I hold that the sin of Adam is imputed to his posterity? I answer, that if by the doctrine it be meant that there was a personal identity between Adam and his posterity, so that his sin became truly and properly theirs, I do not hold it; and, in rejecting it, I concur with all, or nearly all, the ministers of the present day. If this were so, then the sin of the posterity of Adam would be *actual*, and not original; it would be *personal*, and not a derived corrupted nature.

Again: If by imputation it be meant that the personal qualities of Adam were transferred, or set over to his posterity; or transfused into the essence of the soul; I answer, that I do not hold it. The theory is impossible, and the whole church denies any such transfer. Any transfer of personal qualities is utterly impossible, and any such doctrine is absurd.

If it be asked, whether men are ill-deserving and blameworthy, for the sin of Adam; that they are so regarded by God, and so treated, I answer, that I do not believe it; and in denying it, I concur with the most eminent and orthodox divines in the land; with the Bible, the Confession of Faith, and with common sense.

If I be asked, then, whether I reject the doctrine of imputation, I answer *no*. No doctrine is more common in the Scriptures; and few words are more frequently used than the word *impute*. But I hold it as a great principle, that is never to be departed from, and which will shape all a man's views of the divine government, THAT ALL GOD'S IMPUTATIONS ARE ACCORDING TO TRUTH, and NONE OF THEM UNJUST OR FALSE. He does not reckon that I stretched forth my hand in Paradise, and plucked and ate the forbidden fruit, for it was not so; and to reckon it so, would be contrary to the historical fact. But *God reckons, or imputes, things just as they are*. Step by step, and point by point, he imputes things just as they occur. He reckoned [1.] that Adam was pure and holy when created; [2.] that he was at the head of the race; and on trial for human nature; [3.] that if he fell, all would fall; [4.] that he actually fell, and brought death into the world and all our woe; [5.] that his fall, according to the wise law, or constitution of things which he had ordained, would involve all his posterity in ruin; [6.] that his posterity are, in consequence of his sin, born with a nature corrupt, depraved, and prone to sin; [7.] that their first moral acts, and all

their moral acts, in this world or in any other, would be wrong, unless they are renewed; [8] that man should be subjected to a curse, and the earth be subjected to a curse, and a long train of woes be introduced as a consequence of the sin from which nothing would deliver but an atonement; [9.] that all this was necessary as a proper expression of his hatred of the transgression of Adam; as evincing his displeasure in the most marked and decided manner in which it was possible; and that these are inflictions of a righteous lawgiver, descending on men according to an arrangement which is wise, and which *might* have resulted in the eternal felicity of the great society of which Adam was the head and father. In all this God reckons things just as they are, and as they ought to be reckoned; and *all* his imputations are according to truth. In such a reckoning, or imputation, I assuredly believe. I may add, that I have always intended to reject the doctrine of the Pelagians and Socinians, and wish now to be understood as rejecting them—that men sin only by imitation, and example. On this subject it would be easy to quote largely from my book, and the extracts already referred to are satisfactory. Much has been gained by the discussion on this point during the few years past. It is now conceded on all hands, that it is not to be held or taught by *any* class of theologians, either (1.) that men are to *blame*, or are to be esteemed *blameworthy*, or *ill-deserving*, for the sin of Adam; and (2.) as a consequence, that they are not to be called on to *repent* for this sin. In all the statements which are to be made on this subject, let these points be conceded and kept constantly in view, and all controversy will cease. All that the new school brethren have been struggling for, is, the doctrine that men are *not* to be represented as *to blame*, or as *ill-deserving*, for a sin committed long before they were born, and that they are not to be called on to repent of it. With all the statements of these brethren respecting the *facts* in the case—the exposure to sin, and death, and calamity, and wo, in consequence of that sin, they agree; and, with this understanding, they can labor and act together in harmony and in love.

My defence, under this charge, is, (1.) That the Confession of Faith nowhere says, either that the "first SIN of Adam," or any other SIN of Adam, was imputed to his posterity. The framers of this confession used language accurately, and definitely. Had they intended to have conveyed that doctrine, that language would have been used. But *their* language is definite, and clear. They say that the "GUILT of his sin was imputed." Though this difference may *appear* to be small, yet it is as wide as is conceiva-

ble. To impute a *sin* to a man which he never committed, is one thing; to impute the GUILT of that sin, that is, an obligation or exposedness to judicial suffering on account of it, is another thing. The latter is the doctrine of our Confession, and of the Bible; the former is nowhere taught in either. Had the *real* language of the Confession on this subject been regarded; had there been always accurate study of its precise and very definite expressions; no small part of the difficulties which have arisen in the Presbyterian church would have been avoided. (2.) I have not taught any thing contrary to what the Confession teaches on this subject. If what is meant then by the phrase "the guilt of his sin is imputed," or reckoned to his posterity, be, that they are liable, as they come into the world, to evils which are designed to express God's abhorrence of sin; that they are born with a depraved nature; that they will sin as soon as they begin to act as moral agents, whenever that may be, and in whatever world they may be placed, that without renewal they cannot be saved, and that all this is designed to exhibit God's abhorrence of sin, then I have not denied it; but have taught it. That all the sufferings to which the posterity of Adam are subjected, in consequence of his sin, are designed as evils of a judicial nature, intended to set forth his abhorrence of the crime, I have no doubt. When the family of Achan was destroyed for his sin, I have no doubt that it was intended to exhibit the abhorrence which God had of the deed. When the family of the drunkard suffer for the sin of their father, I have no doubt that it is the design of God to express his abhorrence in this way of the offence, and to make this affecting appeal to *all* fathers, to deter them from the crime. When the property of the traitor is confiscated, and his blood attainted, and his family reduced to poverty and disgrace, I have no doubt that it is all done that the law may express its abhorrence of the crime of treason. So far, it is a judicial infliction; not regarding the sufferers as blameworthy—except the traitor himself—but making use of the "social liabilities," where other means could not be resorted to, to express the deep sense of the crime, and to deter from its commission. As this is the only sense in which a posterity can be said to be "guilty" of the crime of an ancestor, it must be so understood in the Confession of Faith. This doctrine, I have never denied. My only objection has ever been to the use of the word "*guilt* in common discourse, on the ground that it is usually understood to convey the sense of *blameworthiness*, or *ill-desert*.

In regard to this charge, the following alterations have been made in the fourth edition of the Notes on the Romans:

P. 121, second col. line 4th from the bottom, instead of 'For to say that I am guilty of another in which I had no agency,' read, "For to say that I am blameworthy, or ill-deserving, for a sin in which I had no agency."

P. 119. "*The very expression* here is against the supposition that infants are intended. One form of the doctrine of imputation, as held by Edwards, Stapfer, &c. has been, that there was a constituted oneness or personal identy between Adam and his posterity; and that his sin was regarded as truly, and properly theirs; and they as personally blameworthy or ill-deserving for it, in the same manner as a man at 40 is answerable for his crime committed at 20. If this doctrine be true, then it is certain that they not only *had* 'sinned' after the similitude of 'Adam's transgression,' but had *committed the very identical sin*, and that they were answerable for it as their own. But this doctrine is now abandoned by all, or nearly all who profess to be Calvinists, and as the apostle expressly says that they had *not* sinned after the similitude of Adam's transgression, it cannot be intended here.

Charge VII.

The seventh charge is that I deny "that mankind are guilty i. e. liable to punishment on account of the sin of Adam."

Proof 1. p. 123. "There is no reason to believe that they are *condemned* to eternal death, or held to be guilty of his sin, without participation of their own, or without personal sin, any more than there is that they are approved by the work of Christ, or held to be personally deserving, without embracing his offer, and receiving him as a Saviour."

Proof 2. p. 127. The word is *in no instance* used to express the idea of *imputing that to one which belongs to another.* It here either means that this was *by a constitution of divine appointment* that they in fact became sinners, or simply declares that they *were* so in fact. There is not the slightest intimation that it was by imputation. The whole scope of the argument is, moreover, against this; for the object of the apostle is to show not that they were charged with the sin of another, but that they were in fact *sinners* themselves. If it means that they were condemned for *his* act, without any concurrence of their own will, then the correspondent part will be true, that all are constituted righteous in the same way; and thus the doctrine of universal salvation will be inevitable. But as none are constituted righteous who do not voluntarily avail themselves of the provisions of mercy, so it follows that those who are condemned, are not condemned for the sin of another without their own concurrence, nor unless they personally deserve it.

Sinners.—Transgressors; those who deserve to be punished. It does not mean those who are condemned for the sin of another; but those who are violators of the law of God. All who are condemned are *sinners.* They are not *innocent* persons condemned for the crime of another. Men may be involved in the *consequences* of the sins of others without being

to blame. The consequences of the crimes of a murderer, a drunkard, a pirate, may pass over from them, and affect thousands, and whelm them in ruin. But this does not prove that they are blame worthy."

Proof 3. p. 128. "Various attempts have been made to explain this. The most common has been that Adam was the representative of the race; that he was a covenant head, and that his sin was *imputed* to his posterity, and that they were held liable to punishment for it as if they had committed it themselves. But to this there are great and insuperable objections. *** (3) It explains nothing. The difficulty still remains. It is certainly *as* difficult to see how, in a just administration, the sins of the guilty should be charged on the innocent, as to contemplate simply the universal fact that the conduct of one man may involve his family in the consequences. (4) It adds another difficulty to the subject. It not only *explains* nothing, removes no perplexity, but it compels us at once to ask the question, how can this be just? How can it be right to charge the sins of the guilty on those who had no participation in them? How could millions be responsible for the sins of one who acted long before they had an existence, and of whose act they had no consciousness, and in which they had no participation?"

"How can it be right" for a person to advance such doctrines, who has professed to believe the Confession of Faith and Catechisms of the Presbyterian Church? Read the following passages and then answer.

Con. VI. iii. vi. Lar. Cat. 25. 27. Sh. Cat. 18, 19.

After the full examination which I have submitted of the preceding charges, it is not necessary to occupy much time on this. Probably the main *facts* in the case, in relation to the effects of the transgression of Adam on his posterity, would not constitute a point of difference between Dr. Junkin and myself. Our difference here relates to *terms;* and it is idle to waste words in a mere logomachy.

Dr. Junkin holds that we *are* 'liable to punishment,' on account of the sin of Adam. It is of importance, therefore, that there should be here a correct explanation of *terms.*

If he means by the phrase that mankind come into the world with a certainty that they will sin when they become moral agents, I have not denied it.

If he means that they are born with a hereditary depravity, or propensity, or liability to sin, resulting from their connexion with Adam, I have not denied it.

If he means that they will suffer ;that they will be exposed to many disadvantages; that they will experience pain, and death, in consequence of that connexion, and of the same kind as if they had themselves sinned, I have not denied it.

If he means that these sufferings are suitable for the moral governor of the universe to inflict in order to express his abhorrence for sin, and his sense of its

ill-desert, I have not denied it. For I have never doubted that the privations, and losses; the hereditary tendency to sin; the shame, disgrace, and loss of character and property which ensue to the posterity of a drunkard, a pirate, and a murderer, are designed, on the great principles of the organization of society, as an expression of God's abhorrence of those crimes, and as an incentive to virtue by the apprehension that these calamities will follow. In no other way, for example, could the evil consequences, and the criminality of *suicide* be made to appear than by causing the consequences of the act to pass over and terminate on the reputation and feelings, and property of posterity. The self-murderer by his own act removes himself from all punishment on earth, and from all expression in his own person here of God's sense of his crime. But some such expressions are needed in order to deter *others* from the deed. Suffering and shame, therefore, are made to pass over; and impinge on all who are connected with him. So a suitable sense of the enormity of the crime of Achan could not be expressed except by the sufferings inflicted on his family, and even by the destruction of his property. So in order to express the deep abhorrence of a moral governor against the crime of treason, and to show its criminality with an emphasis beyond what the death of the traitor himself could do, the law appoints sufferings, and disadvantages in relation to his family. His property is confiscated, his blood attainted; and the honors and titles that would otherwise have descended to his heirs, are withdrawn. It is the only way in which the proper sense of the enormity of the crime can be expressed so as to deter others. In the *facts* in the case, therefore, there can be no controversy. But when it should be insisted that the family of Achan was *guilty* of his crime, and were "*punished*" for it; when, as in order to be consistent, it must be held that "the silver, and the garment, and the wedge of gold—and his oxen, and his asses, and his sheep, and his tent, and all that he had," Josh. vii. 24, that were destroyed in consequence of his crime were "guilty" also, and were "*punished*", our objection is to the use of the *language*, and not to the facts in the case. Should it be said that the descendents of a traitor were guilty of his act of treason, and that they were *punished* for it, we might agree in regard to the *facts*; our difference would pertain only to the proper use of language. So in regard to Adam. In the main facts, we agree. But when it is said that *all* the evil consequences of his act, and all the sufferings that have ensued are to be set down as *punishment*, and that all that are effected by them are *guilty* of his sin, we at once revolt at this use of language, and

ask how *can* the groaning creation be said to be *punished*—the beasts of the field, and the very earth bringing forth briars and thorns? Is the earth *guilty*, and are the hills and vales *punished?*

The only enquiry, therefore, here is, what is meant by *guilt* and by *punishment?*

I would observe then, that the words *guilt* and *punishment* are by no means to be confounded with the words criminality, or ill-desert. I shall endeavor to show that *guilt* always supposes criminality, and is based on it; but it is not the same. It may be defined to be an obligation to punishment *for personal criminality*. Here is the difference between Dr. Junkin and myself. He supposes that it is an obligation to punishment *without* personal criminality, or ill-desert. I maintain that it always, when correctly used, implies personal ill-desert that is the measure of the punishment due. In other words, he supposes that a man may be said to be *punished* for a crime which is not his own, but which is charged on him by imputation; I maintain that it *always* implies personal ill-desert, and that any other use of the term is a departure from the correct use of language. In support of this, I shall appeal to modern usage, and to the old theological usage, and thus shew that there is a real departure in many modern views from the ancient theological *language* of the schools as well as from their *doctrines*.

1. *Guilt*, from *gildan*, to pay, is defined to be "criminality; that state of a moral agent which results from his actual commission of a crime or offence, knowing it to be a crime, a violation of law. Guilt renders a person a debtor to the law as it binds him to pay a penalty in money or in suffering. Guilt therefore implies both criminality, and liableness to punishment."—*Webster*. The idea here is, that the liableness to punishment results from *the actual commission of a crime or offence*. *Punishment* is defined to be "any pain or suffering inflicted on a person *for a crime or offence*, by the authority to which the offender is subject, either by the constitution of God, or of civil society."—*Webster*. In this definition the necessity of *a crime or offence* is declared in order to make suffering, *punishment*.

2. The same is the use of the terms in common life, and in law. When a jury find a man *guilty*, it is not merely a finding him liable to *suffer*, but it is a finding that he has committed a *crime*, or *offence*, and is *therefore* justly liable to punishment. A jury or court never think of separating the idea of *personal offence, or crime* from their ideas of *punishment*. The whole system of jurisprudence, as is known to all, is founded on this. The idea, once introduced into the laws and courts, of finding men guilty of offences which they

never committed, and exposing them to punishment where there was no criminality would shock the moral sense of the community, and be regarded as the very definition and summit of tyranny. Blackstone defines *punishment* to be "the right of the temporal legislator to inflict discretionary penalties for *crimes and misdemeanors*," [vol. iv. 7], and sustains his definition by the whole of his reasoning in this chapter. Lord Coke, than whom no man better understood the precise meaning of terms, quotes it as a maxim of law, that "no one is punished for the sin of another." Nemo punitur pro alieno delicto. Coke upon Littleton, vol. iii. p. 368. Grotius [de Jure Bel. et Pa. B. ii. ch. xx. §1,] says, that punishment is an evil of suffering which is inflicted on account of the evil of an action. Malum passionis, quod infligitur ob malum actionis. It is an ancient maxim, he observes, that "he who does evil shall bear it." Idem §2. Jui male fecit malum ferat. Those evils, he says, which were suffered among the Hebrews on account of a contagious disease, or a deformed or mutilated body, or other disparities, "are not properly punishment, although on account of resemblance, and abuse of the term they are called by that name." §1. Thus Grotius also quotes Augustine as saying that "all punishment, if it is just, is the punishment of sin." Omnis poena, si justa est, peccati poena est. §3. And in regard to the word *guilt* he quotes from Augustine the doctrine that, under the divine government guilt exists where punishment is not seen to follow. Latet culpa ubi non latet poena. §3. And again B. ii. ch. xx. §28, Grotius expressly says, that "no one is to be punished beyond his ill-desert," and appeals to Horace, to Cicero, to Aristides, and to Demosthenes. The doctrine in the *laws* it is believed is established beyond the possibility of dispute.

3. The same is the doctrine of the Bible. I appeal here to the *general* aspect and tenor of the scriptures as sustaining the position that *punishment* is to be regarded as the evil inflicted by a just moral governor *for personal offence*. And we may safely challenge any man to bring any place, where the words implying guilt and punishment, are used in any other sense. There is no place where it is affirmed that men are *punished* for the sins of another; and were there, it would be such a departure from the common use of language, and from the obvious principle of common justice, as to neutralize no small part of all the proofs that could be brought for the truth of a divine revelation. I appeal particularly to the doctrine laid down in Eze. xviii. 3. 4. 19. 20, as in accordance with all our views of justice, and as expressly disclaiming the idea of inflicting *punishment* on men for the sins of their ancestors. Thus the Latin *reus* and *reatus* retain

the idea of a *debt* which is due, and which a defendant is justly bound to pay; or of guilt or criminality, which *deserve* to be punished, and which is so adjudged in law. Thus in the New Testament the word enochos *guilty*, retains the idea of binding, or obligation enechomai to punishment. It occurs ten times. When (Math. xxvi. 66.) the Jews said "he is guilty of death," they meant to say that he *deserved* to die; that they had found him *criminal* for *blasphemy* (v. 65); and that THEREFORE he deserved according to their law to be put to death. They did not intend to express simply an obligation to suffer *that which he had not deserved*, but to declare in the strongest terms possible that he *deserved* to die When our Savior, in Mark iii. 29, says of him that shall blaspheme against the Holy Ghost that "he hath now forgiveness, but is *in danger of eternal damnation* enochos est aionion kriseos, he did not not mean to say that he was bound to a punishment which he did not personally deserve, but that for a *criminality* in the case, he would be justly liable to that punishment. The same sense occurs in 1 Cor. xi. 27: "Shall be *guilty* of the body and blood of the Lord," i. e. their conduct at the Lord's table, in the case specified, would be so blameworthy as to constitute the *crime* of despising his body. See also Math. v. 21, 22; Mark xiv. 64; Heb. ii. 15; James ii. 10.—In the same sense is the word used by the lxx. who employ the term enochos, *guilty*, for the translation of dom and domim, and in the sense of *deserving* punishment, in Ex. xxii. 3; Lev. xx. 9, 11, 12, 13, 16, 27; Num. xxxv. 27; Deut. xix. 10; and in the same sense in Jos. ii. 19; Ex. xxxiv. 7; Num. xiv. 18, xxxv. 31, &c. The Scripture use of the word, therefore, is established.

4. The old Calvinistic writers used the word in the same sense as denoting a liability to punishment for *personal offence*, and not for the *sin of another*. They saw the common sense, and Scripture use, of language; they saw the absurdity of speaking of *guilt*, where there was no *criminality*, and of *punishment*, where there had been no personal offence, and they therefore adopted the theory of our *oneness*, or *personal identity* with Adam, making his sin strictly and properly ours, and predicating the doctrine that we are exposed to *punishment* on account of it in that doctrine. Their language was consistent with these views, and though their views were erroneous about such an identity with Adam, yet their *language* is in accordance with common sense and the Bible. The refinement of modern times seems not to have occurred to them, to deny that the sin is *ours*, that we are *ill-deserving*, and yet to talk of our *guilt* for the crime of another; and *our liableness to*

punishment—for a sin which is not ours. My objection, therefore, to the language in question, is, that the mere fragments of a system are retained, without their consistency; and that thus language is torn from its proper and acknowledged meaning. There was the beauty of *consistency* in the architecture of ancient frowning castles, hoary and dark as they were—for the work was in keeping; but here we have pieces of the wainscoting, and balustrades, and frowning towers, which men insist on attaching to modern houses, and with which to grace Corinthian capitals and columns. We have language divested of its proper signification, and in defiance of all the well known usages of men in all times.

That this charge is not unfounded—that the older writers used the words guilt and punishment as based upon commonality always, and as implying an obligation to suffer *for* that, I shall now proceed to prove. For the passages, I am indebted to the Biblical Repertory, and shall take cases which are adduced there for the very opposite purpose. (Vol. ii. p. 440.) Turretin (Tom. i. p. 654,) says, "Reatus theologice dicitur obligatio ad poenam EX PECCATO. Guilt, among theologians, is defined to be obligation to punishment *on account of sin*." Here the fact that it is from sin, and according to it, is expressly stated, in accordance with all that I have said. Owen says, (On Justification, p. 280,) "Guilt in Scripture is *the respect* OF SIN unto *the sanction of the law* WHEREBY the SINNER becomes obnoxious unto punishment. Again: "The guilt of it [sin] is nothing but ITS respect unto punishment from the sanction of the law." Again: (On Justification, p. 280,) he says, "there can be no *obligation* to punishment, where there is no *desert* of punishment." Again: "The guilt of sin is its desert of punishment. And where is not *this*, there can be no punishment PROPERLY SO CALLED."—On Jus. p. 280.—Christian Spect. vol. iii. p. 307. So Turretin says, "The justice of God does not inflict PUNISHMENT, except on him that DESERVES it." So Ridgely says, (vol. ii. p. 119, "Guilt is an obligation or liableness to suffer punishment FOR SIN COMMITTED."

That there is some variety of expression among the older theological writers, and some looseness of expression on this subject, I am not disposed to deny. (Conf. Bib. Rep. vol. ii. p. 441, &c.) This fluctuation arose, doubtless, from the unsettled views of many of them on the subject of imputation—holding at one time the doctrine of the strict identity with Adam; and at another holding the doctrine of the imputation of his sin *without* such identity. When they write without reference to a *theory*, they use the terms guilt and punishment in the obvious sense. Thus Grotius, in his treatise De Jure, &c. uses the words

in their obvious and proper sense. When he had a controversy with Socinus, and a theory to defend, he labored to prove that the words were employed without reference to *personal* ill-desert. But the above quotations show, abundantly, that the proper and ancient sense of the words was that which is based on the supposition of previous personal criminality.

5. We might safely leave this whole subject to the common sense of men. Who, on hearing the word *guilt*, does not instantly attach the idea of personal ill-desert, or violation of law? Who, on hearing the word *punishment*, does not at once think of *criminality* as laying the just foundation for it? Suffering may be intense; one man may be oppressed by another; a subject may suffer the loss of property, limbs or life, by a government; a martyr may be seen writhing at the stake, or expiring amidst the flames; a patriot may bleed on a battle field; but unless he has violated law, and is personally ill-deserving, who would speak of his *guilt*, or his *punishment*? No one. But if this is the common and popular sense of the words, it is the just sense; nor should they be used otherwise, without great and pressing necessity. If the words *are* used in a different sense by theological writers—as I admit they often are—then they are turned aside from their proper signification; and when so used, are exposed to all the inconvenience of being misunderstood, or of being the means of conveying an erroneous idea. It is exposed to all the inconvenience of technical language; is a departure from the common use of words; and is unintelligible to the mass of men.

6. That the common use of the terms guilt and punishment is the true use, is apparent from the fact, that in no other way could a *penalty* be possible or valuable. If a penalty does not denote the pain inflicted by the Lawgiver as an expression of his sense of the evil of sin, and his abhorrence of it, what would be its use, or how could it be threatened? If not so, on what principle can it be inflicted? How can a just government be sustained, in the eyes of moral agents, if it holds those guilty who are innocent; and punishes those who have no ill-desert? This objection to the language is insuperable. Who can go and preach it? Who can appeal for its truth to the reason and common sense of men? Who can appeal in doing it to the Bible? Whose mind will not revolt at a commission requiring him to proclaim that men, under the Divine administration, are held to be guilty, who are personally innocent; and are punished without any ill-desert? And if it *can* be proclaimed, who can believe that it will ever commend itself to the consciences of men as a system just and equal? And is

there no danger that men will regard the system which proclaims it, as at variance with all their just conceptions of a righteous government, and religion as opposed to the common sense of the world?

My reply, therefore, to this charge is, that on *the facts* in the case, Dr. J. and myself are agreed. That men suffer most sad evils, in consequence of the apostacy of Adam; that those evils are certain, and universal; that they result from the connexion with him; and that they are the appointment of a wise and just moral governor, as an expression of the evil nature and tendency of apostacy, I do not deny. My objection is to an unauthorised theological use of language —to calling that guilt, which is not guilt; and that punishment, which is not punishment. He insists on this as essential to orthodoxy; I doubt its propriety.

The following corrections have been made of the exceptionable passages here, in the new edition of the "Notes": (1.) The part from p. 138, has been wholly changed. See the corrections under the 5th charge. (2.) On pages 122, 123, the following has been substituted, instead of the statement, a part of which is quoted in the charge, viz:

Pp. 122, 123. Though men are indubitably affected by the sin of Adam, as e. g. by being born with a corrupt disposition; with loss of righteousness; with subjection to pain and wo; and with exposure to eternal death, yet there is reason to believe that all those who die in infancy are, through the merits of the Lord Jesus, and by an influence which we cannot explain, changed and prepared for heaven. As nearly half the race die in infancy, therefore, there is reason to think that, in regard to this large portion of the human family, the work of Christ has more than repaired the evils of the fall, and introduced them into heaven, and that his grace has *thus* abounded unto many. In regard to those who live to the period of moral agency, a scheme has been introduced by by which the offers of salvation may be made to them, and by which they may be renewed, and pardoned, and saved. The work of Christ, therefore, may have introduced advantages adapted to meet the evils of the fall; as man comes into the world; and the original applicability of the one be as extensive as the other. In this way the work of Christ was, *in its nature*, fitted to abound unto the many.

Charge VIII.

The eighth charge is in the following words, denying "That Christ suffered the proper penalty of the law, as the vicarious substitute of his people, and thus took away legally their sins and purchased pardon."

Proof 1. All the passages quoted under charges 6 and 7 are referred to here. If the sin of the *first* Adam is not imputed to his seed, and they are not liable to punishment on account of it; then it inevitably follows, that the sin of his seed is not imputed to the second Adam, and he punished on account of it.

Proof 2. p. 89, 90. "In the plan of salvation, therefore, he has shown a regard to the law, by appointing his Son to be *a*

substitute in the place of sinners; not to endure its *precise* penalty, for his sufferings were not eternal, nor were they attended with remorse of conscience, or by despair, which are the proper *penalty* of the law; but he endured so much as to accomplish the same ends as if those who shall be saved by him, had been doomed to eternal death. That is, he showed that the law could not be violated without introducing sufferings; and that it could not be broken with impunity. He showed that he had so great a regard for it, that he would not pardon *one sinner* without an atonement. And *thus* he secured the proper honor to his character as a lover of his law, a hater of sin, and a just God. He has shown that if sinners do not avail themselves of the offer of pardon, by Jesus Christ, *they* must experience in their own souls forever, the pains which this substitute for sinners endured, in behalf of men, on the cross." Thus, no principle of justice has been abandoned; no claim of his law has been let down; no disposition has been evinced to do *injustice* to the universe, by suffering the guilty to escape. He is, in all this great transaction, a just moral governor, as *just* to his law, to himself, to his Son, to the universe, when he *pardons*, as he is when he sends the incorrigible sinner down to hell. A full compensation, an equivalent has been provided by the sufferings of the Savior, in the sinner's stead, and the sinner may be pardoned."

How opposite this to the doctrines of the Church. See Con. chap. viii. 4, 5. xi. 3. Larg. Cat. 49. Shor. Cat. 25.

My views there are accurately expressed, and I submit them to the judgment of my Presbytery.

The charge which is here alleged is a most striking specimen of the loose and inaccurate manner in which these accusations have been framed. It contains *four* counts or specifications, one only of which relates to the statement in my book, and the three others are *inferences* which Dr. Junkin supposes my doctrine leads to; and which, by a common mode of controversialists, he charges me with holding. To this entire proceeding of charging me with holding certain *inferences* which he chooses to draw from my doctrine, I complain, and affirm that in this he has done me and my character material injustice.

The specifications are [1.] That I deny "that Christ suffered the proper penalty of the law." [2.] That I deny that he was "the vicarious substitute of his people." [3.] That I deny that he "took away legally their sins." [4.] That I deny that "he purchased pardon."

I shall offer a few remarks on each of these counts. The first is, that I deny that Christ suffered the proper penalty of the law. In my notes (p. 89) on which this charge is based, I specify *precisely* what I mean by this. I observe there, that according to my view of *penalty* there are certain things included in the penalty of the law which Christ did not, and could not suffer. I specify particularly two things [1.] that his sufferings were not *eternal*; [2.] that he did not endure remorse of conscience. These I sup-

pose to have been a part of the proper penalty of the law; and these I then supposed and still suppose, Christ did not and could not suffer. This seemed to me to be so plain as to be indisputable. If Dr. Junkin maintains that Christ *did* endure the precise penalty of the law, then he must hold one of two things, either that Christ *did* endure in fact *eternal sufferings*, and that his sufferings *were* attended with remorse of conscience and despair; or he must hold that the eternity of suffering, and remorse of conscience, and despair, are no part of the proper penalty of the law. If he holds the first alternative, then he maintains that which is evidently contrary to truth. Christ did not endure eternal sorrows, nor did he endure remorse of conscience. Remorse arises from the consciousness of personal criminality; but Christ was holy, harmless, and undefiled. Nor is it possible to admit for a moment that his mind was harassed and burdened with any conviction of past criminality. If it be held that remorse of conscience and eternity of sufferings are not a part of the penalty of the law, then consequences will follow, all of which I have not time to specify. A few only can be referred to. (1.) A vast amount of suffering has been introduced by transgression which the law did not threaten, and which it did not contemplate, for by far the most acute and dreadful part of the sufferings of sinners arises from remorse of conscience, and the apprehension of eternal punishment. (2.) If the law did not appoint and contemplate it, it is unjust to inflict it. It is appointing and executing that by a *post-facto* regulation which is a departure from all just views of punishment. It is essential to all just ideas of penalty or punishment, that the suffering in which an action shall involve a man shall be specified beforehand, and the subject of the government be apprized of it by a reasonable publication of the penalty. The doctrine that a magistrate may introduce into his sentence forms or degrees of suffering which the law never contemplated and made known as its penalty, is the very definition of tyranny, and would jeopard the rights and liberties of all men. (3.) Eternal death according to this view is no proper penalty of the law. If so, it will be unjust to inflict it, and if unjust, it will not be inflicted. Unless it be admitted that the *eternity* of punishment was contemplated in the penalty, it would violate all views of justice that it should be inflicted, and the doctrine of universal salvation is inevitable. But if remorse of conscience, and eternal punishment are the penalty of the law, then it follows that Christ did not endure that strict and proper penalty.

My defence against this part of the charge is.

1. That the Bible does not affirm that Christ endured the proper penalty of the law. It affirms that

he was "the Lamb of God which taketh away the sin of the world: John i. 29: that he gave himself for us, an offering and a sacrifice to God, Eph. v. 2: that he is the propitiation for our sins, 1 John ii. 2; iv. 10: that he made his soul an offering for sin, Isa. liii. 10: that God delivered him up for us all, Rom. viii. 32: that by him we have received the atonement, Rom. v. 11: that he has redeemed us from the curse of the law, being made a curse for us, Gal. iii. 13—that is, being cursed by hanging on a tree: that he bare our sins in his own body on the tree, 1 Pet. ii, 24; &c., all of which passages prove that he was an atoning sacrifice; that he died in our stead; that he was a vicarious offering, and that his sufferings were efficacious to the removal of the penalty from us. But it is neither affirmed that he endured the exact penalty of the law, nor that it was needful that he should, or possible that he could do it. His sufferings were strictly and properly a *substitute* for the sufferings of sinners who but for his atonement would have died forever. And all that was needful was that the same good should result in regard to the law, the moral character, and the government of God, which *would* have resulted from the eternal death of the guilty themselves, or, in other words, that *his* sufferings should be an equivalent for theirs.

2. That the Confession of Faith does not declare it. It indeed (Ques. Lar. Cat. 49,) says that he felt and bore the weight of God's wrath; but this must be a figurative expression denoting that he endured sorrows that were the proper expression of the wrath of God against sin—and this I do not deny. Christ was innocent and holy; God was well pleased with his work always, even when he died; Mat. iii. 17; Luke ix. 35; 2 Pet. i. 19; John xiii. 28: and it would be language which the Scriptures do not authorize, and which would be in fact blasphemy, to say that God was *angry* with his holy Son. The framers of our confession never contemplated such a statement as that; and if not, then their expression cannot mean that Christ endured the proper, and strict, and full penalty of the law.

3. It was impossible, as I have already remarked, that he *should* endure that proper penalty. It was impossible that the eternity of torment should be endured in a limited time; impossible that he should endure remorse of conscience. It is not a fact that he suffered forever; nor is it a fact that he endured remorse of conscience.

4. If it *could* have been; if the Messiah could have suffered a literal eternity of sufferings, yet it is an abuse of language, and a departure from all the just modes of speech to affirm that substituted sufferings are the proper penalty of the law. On this point we

meet with the same departure from the proper use of language, to which I have already adverted. *Penalty* is defined to be "the suffering in person or property which is annexed by law, or judicial decision to the commission of a crime, offence, or trespass, as a punishment." *Webster.* In a *penalty* there is implied, therefore, the essential idea that it is for the commission of a crime, and that it is properly a punishment. Yet Christ had neither committed crimes, nor was he punished. This definition is in accordance with the idea of punishment which I have already examined, and is in strict conformity with all the transactions of men. What the law appoints, and what is determined by the magistrate as the proper expression of the evil of crime, is its penalty; and it is always supposed that this is based on the commission of crime. A substitute may pay a debt; may *remove* a penalty, but by no propriety of language can he be said to be punished.

5. If Christ *had* endured the strict penalty of the law, then the law would have no claims on us now. If the debt was fully and literally paid, and *all* the penalty removed, they for whom it was paid have a *right* to a discharge, and are *already* innocent before God. The view, therefore, which affirms that that penalty is truly paid, leads at once to all the evils of Antinomianism. It is that view on which was based the doctrine of *eternal justification*—the very essence of antinomianism. If the full penalty of the law has been paid, then it neither has now, nor ever has had, or will have any claim on those for whom it has been paid; and they must ever have been regarded as justified in the sight of God. When a law or penalty is fully paid, the law has no further claims on men; and if the full penalty had been met by the substitute as really and truly as if the criminal had himself borne it, then he has a *claim* to a discharge, and his release becomes not in any sense, a matter of grace or favor, but a matter of right. It would not be right that he should *not* be discharged. And this too, independently of any change in him, or any expressions of repentance, or reformation of life. All that is needful for him in this view is, that he should *persuade himself* that it has been done, and he will urge it as a matter of claim and of right. The influence of these views in former times is well known. The withering and blighting influence of antinomianism on the churches and the world has been often felt; and that effect is one proof, at least, that the doctrine is not in the Bible. The design of the Bible is to make men holy; and any doctrine that leads to lax notions of holiness, and to indulgence in sin, is *prima facie* evidence that it is contrary to the Scriptures.

6. If this doctrine be true; if it be affirmed that

Christ endured the literal, complete, and proper penalty of the law, then it follows that no gain has resulted to the universe from his intervention. All that has been done has been to *transfer* the penalty, involving the same kind and degree of suffering, from the guilty to the innocent. Just as much suffering has been endured on this supposition as though the elect had endured it in their own persons in the eternal fires of hell. And although it would argue great benevolence in him who consented that it should be transferred to himself, yet it would be evidently contrary to the spirit, and general drift of the Scriptures. The idea is there every where presented that great advantage or gain has resulted from the sacrifice of Christ; that a vast amount of suffering in the universe has been prevented; that there will be vastly more happiness *in* the universe, taken as a whole, in consequence of his sufferings, than there would otherwise have been; and that his intervention and sacrifice was a glorious event, not only as evincing benevolence but as actually a device by which indescribable woe might be prevented, and pain and despair greatly diminished. See Rom. v. 20, 21. But if the precise and literal penalty was borne, then none of these beneficial results would follow. The whole work can then be stated in few words—that an infinite amount of sin, and wo, and despair has been transferred literally from the guilty to the innocent; and that the universes taken as a whole, has endured just as much pain and despair as if no atonement had been made. It is needless to say that this view of the atonement greatly dims its moral lustre and glory, as a device for *preventing* the existence and extension of woe and despair.

7. This view is inconsistent with the doctrine of substituted sufferings. It teaches indeed the doctrine of a substituted *person;* but the Bible teaches the doctrine of substituted *sufferings;* of sufferings which are *not* the literal and proper penalty of the law, but which come *in the place* of the penalty, and which are designed to answer the same end. His "blood," that is, his life, his sufferings, is thus represented as the ransom for many. He redeemed us to God *by his blood*, i. e. by his substituted sufferings. He is set forth as the propitiation through faith *in his blood*, i. e. in his sufferings substituted in the place of sinners. He was wounded for our transgression, he was bruised for our iniquities, and with his *stripes* are we healed, that is, his sufferings were substituted in the place of ours, and were designed to answer the same end. "Christ's satisfaction, and the merit of his whole obedience, is as effectual for our pardon, justification, and salvation, as if believers themselves had performed it; and it is imputed to them, in that it was

done for their sakes, and suffered in their stead, and the fruit of it by a free donation given to them. But, 1. God is not mistaken, to judge that we obeyed or suffered when we did not. 2. God is no liar to say we did it, when he knoweth we did not. 3. If we were not the *actors* and *sufferers*, it is not possible that we should be made the *natural subjects* of the *accidents* of another's body, by any putation, estimation, or misjudging whatsoever; no nor by any *donation* neither. It is a contradiction, and therefore an impossibility that the same individual *actions* and *passions* of which Christ's human nature was the agent, and subject so many hundred years ago, and have themselves now no existence, should *in themselves*, I say *in themselves* be made yours now, and you be the subject of the same accidents. 4. Therefore they can be no otherwise given to us, but, 1. By a true estimation of the reasons why Christ underwent them, viz. for our sakes as aforesaid. 2. And by a donation of the *effects* or *fruits* of them, viz. pardoning, and justifying, and saving as by them (on the terms chosen by the donor himself, and put into his Testament, or covenant) as certainly (but not in the same manner) as if we had done and suffered them ourselves," &c. &c. Baxter on the Life of Faith, ch. viii.

When, therefore, I denied that Christ endured the proper penalty of the law, I meant simply to say, that he did not endure its literal penalty—that he did not endure eternal sufferings, or remorse of conscience or despair. I did not mean to deny that he was an atoning sacrifice; nor that he died in the place of sinners; nor that his sufferings were strictly a vicarious offering; nor that the law was honored and magnified; nor that his death was an equivalent for all the sinner would himself endure if he was lost. Nor did I mean to deny that his sufferings, though not strictly a *punishment*, were intended as an expression of the hatred which God has to sin. If by penal ills be meant such sufferings inflicted by a moral governor as are a proper expression of his sense of the evil of transgression, I admit and hold that Christ endured such ills. I do not believe that he held him to be guilty, i. e. ill-deserving and criminal, for that was impossible; I do not believe that he should be represented as "guilty," for the Bible does not use that term, and the language is abhorrent to the best feelings of the Christian heart; but I do believe that he should be represented as dying in the place of the guilty; that his sufferings were vicarious and propitiatory; that the results or benefits of his atonement are freely first *given* to believers by God, or made over to them so that on their account they are pardoned and justified, and that they are so reckoned or imputed to them, that without them it was impossi-

ble for God to forgive sin; but that now he can do it in perfect consistency with his law, and perfections, and the stability of his moral government. I have no other hope of eternal life than that which is founded on his propitiatory offering in my stead; I have no other announcement to make to men, than that this is the only way in which they can be saved.

The second specification in the charge is, that I deny that Christ "was the vicarious substitute of his people." This is an *inference*—a most unjust one—of Dr. Junkin. In *his* view it seemed to follow that if it was held that Christ did not endure the proper penalty of the law, it would follow that THEREFORE the doctrine of his vicarious sacrifice was denied also. Whether the inference is correct, is not now the question before us. It is whether I have denied that Christ is the vicarious substitute of his people. And here I protest solemly against the right of Dr. Junkin or any other man to draw an *inference* from my statement, and then charge me with holding the inference, and for that of being guilty of heresy. In all communities, a man has a right to state his views, and to be regarded as holding *only* those views, and not to be charged with holding what others may choose to draw from them by way of inference. It has been conceded every where, that a man is not to be charged as holding that which to others may seem to follow from his doctrine. Even where such inferences may legitimately be drawn, they are not to be charged as his belief—for he may not see it, or may expressly disavow it; and he is to be held as answerable only for what he expressly affirms. Inferences or results may be drawn to show what his opinions may lead to, and to prove that they are erroneous; but to charge him with holding them is slander. On the principle in which Dr. Junkin has acted in this charge, all that is needful to overwhelm a man with the disgrace of holding any heretical or dangerous opinion, is for some man to draw inferences from what he has stated, to follow out his own reason or fancy into consequences which he thinks follow from the doctrines advanced; to attack any error or false opinion as a *consequence* to what is stated, and then to charge the man with holding that result, or consequence. In this way no man's character would be safe. Justice would be at an end. All kinds and forms of slander would be justified; and every man would be invited to make out his brother to be a heretic or a dangerous man. And it is time that this simple principle of justice should be regarded—that a man shall be held to be responsible only for what he *states* to be his belief. It is time that every Presbytery, and every court of justice, and every community in the land, should rebuke with no ambiguous or uncertain voice the reckless-

ness and injustice, and cruelty involved in the habit of drawing what *inferences* any man pleases from the statements of another, and then charging them on him as his belief. The authority of the General Assembly has once at least been brought to protect, in this way, the reputation of the ministers of the gospel, and to rebuke the spirit involved in this charge which is now brought against me. "Here," say they, "it will be important to remark, that a man cannot be fairly convicted of heresy, for using expressions which may be so interpreted as to involve heretical doctrines, if they also admit of a more favorable construction. Because no one can tell in what sense an ambiguous expression is used but the speaker or writer, and he has a right to explain himself; and in such cases, candor requires, that a court should favor the accused, by putting on his words the more favorable, rather than the less favorable construction.

"Another principle is, *that no man can be rightly convicted of heresy by* INFERENCE *or* IMPLICATION; that is, we must not charge an accused person with holding those consequences which may legitimately flow from his assertions."—Minutes of the Assembly, vol. v. p. 220. I will just add here, that in any court o justice, an action of slander would lie against the author of this charge. It is a mere inference of his own; it is wholly unfounded; it is fitted most deeply to affect my character and influence as a minister and as a man; and I call upon the Presbytery to throw the shield of justice before me, and to vindicate my character from this deeply injurious charge.

In relation to this specification, I declare that I have never denied that Christ was the vicarious substitute of his people. In the very passage under consideration, I have taught that he *was* their substitute in express words. "In the plan of salvation," I say, "he has shown a regard to the law by appointing his Son to be *a substitute* in the place of sinners." p. 89. And throughout these 'Notes,' and in all my writings, I have maintained it with all the talent which God has given me, and with a constancy that neither in fact nor in form has ever wavered. With no slight degree of earnestness do I, therefore, complain of Dr. Junkin for charging me with the denial of a doctrine which, in the very place to which he refers, I expressly maintain.

I would observe further, that the views which I here express *really* affirm the doctrine of substitution and vicariousness to an extent much greater than can be held by those who maintain that Christ endured the proper penalty of the law. They hold to a substituted *person* only, and to *literal punishment*; I hold to a substituted person, and *substituted sufferings*, retaining the idea of *vicariousness*, or *substitution* throughout his entire work.

The third specification under this charge is, that I deny that Christ "took away legally" the "sins" of his people. This is also an *inference* of Dr. Junkin. I reply to *this*, that I have never taught it; nor any thing that can be construed into this accusation. I have always taught that the sins of christians *are* removed by the work of Christ legally by justification, and really by sanctification.

The fourth count is, that I deny that Christ "purchased" the "pardon" of his people. This is also an inference; and this I have not denied. I have so repeatedly, in the very book under consideration, stated that the blood of Christ was the price paid, the ground of acceptance, &c.: that it is matter of amazement that the author of these charges could have found it possible, in his head or his heart, to charge me with this denial. "*Christ died for us.* In our stead; to save us from death. He took our place; and by dying himself on the cross, saved us from dying eternally in hell."—p. 110. "*By his blood.* By his death. The fact that we are PURCHASED by his blood, and sanctified by it, renders us sacred in the eye of God; bestows a value on us proportionate to the worth of the price of our redemption; and is a pledge that he will keep that which has been so dearly bought."—*ib.*

"*Truly* (Note in ch. iii. 24). it does not mean that it [justification] has been obtained, however, without any price or merit from any one, for the Lord Jesus has PURCHASED *it with his own blood*, and to him it becomes a matter of justice that those who were given to him should be justified."—p. 86. "*Through the redemption*, &c. The word here used occurs but ten times in the New Testament. Its root (lutron) properly denotes the price which is paid for a prisoner of war; the ransom, a stipulated purchase money, which being paid, the captive is set free. The word is there employed to denote liberation from bondage, captivity, or evil of any kind, usually keeping up the idea of a price, or ransom paid in consequence of which the delivery is effected. It is sometimes used in a large sense, to denote simple deliverance by *any means* without reference to a price paid, as in Luke xxi. 28; Rom. viii. 23; Eph. i. 14. That this is *not* the sense here, however, is apparent. For the apostle in the next verse proceeds to specify the *price* which has been paid, or the means by which the redemption has been effected. The word here denotes that *deliverance from sin and from the evil consequences of sin which has been effected by the offering of Jesus Christ as a propitiation.*"—*ib.* "When the blood of Christ is spoken of in the New Testament, it means *the offering of his life as a sacrifice*, or his death as an *expiation*. His life was given to make atonement. By faith in his death as a sacrifice for sin; by believing that he took *our* sins; that he

died in *our* place; by thus, in some sense, making his offering ours; by approving it, loving it, embracing it, trusting it, our sins become pardoned, and our souls made pure."—p. 88. After these plain, positive, and repeated declarations in regard to my belief that Christ *purchased* the pardon of his people, it is a matter of most difficult solution to understand why Dr. Junkin has accused me of denying it. Can it be that he has not read the book on which he bases these charges? or can it be that his mind was intent on finding certain things held or denied in the book that would constitute the foundation of serious accusations against a minister of the gospel? Would it be possible for Dr. Junkin, or any other man, to frame expressions that more positively and unequivocally convey the idea that Christ *did* "purchase" the "pardon" of men? And is it to be tolerated in the churches that a man may frame charges *ad libitum* against a brother, and proclaim them to the world in this manner? If this is done who is safe? And where is there a man whose character can stand before a proceeding of this kind, or whose reputation is secure?

On the whole, I regard the three last specifications in this charge as deeply injurious to my character and influence; as utterly unfounded; as without the shadow or semblance of proof; and complain to my peers that Dr. Junkin has done me injustice—injustice which should be repaired. I complain of the loose and inaccurate manner in which the charge is couched. I complain of his manner of drawing *inferences*, and then charging me with holding them. I complain of his formally charging me with holding opinions which are fitted to injure my character, and usefulness, when I had expressly stated the reverse. I complain of the right of a minister of the gospel to accuse his brother in a matter so deeply affecting him in this loose, inaccurate, and unfounded manner.

Charge IX.

The ninth charge is in the following words, viz.

"That the righteousness, *i. e.* the active obedience of Christ to the law, is imputed to his people for their justification; so that they are righteous in the eye of the law, and therefore justified."

Proof 1. p. 28. (3.) The phrase *righteousness of God*, is equivalent to *God's plan of justifying men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor.* In this sense it stands opposed to *man's* plan of justification, *i. e.* by his own works. God's plan is by faith." "The word to *justify*, dikaio, means properly *to be just, to be innocent, to be righteous.* It then means to *declare*, or treat as righteous, as when a man is charged with an offence, and is acquitted. If the crime alleged is not *proved* against him, he is declared by the law *to be innocent.* It then means to *treat as if innocent*, to *regard as innocent;* that is, to pardon, to forgive, and

consequently to treat as if the offence had not occurred. It does not mean that the man *did not* commit the offence, or that the law might not have held him *answerable* for it; but that the offence is forgiven; and it is consistent to receive the offender into favor, and treat him *as if* he had not committed it."

"In regard to this plan, it may be observed. (1.) That is not to declare that men *are* innocent and pure. That would not be true. The truth is just the reverse: and God does not esteem men to be different from what they are. (2.) It is not to *take part* with the sinner, and to mitigate his offences. It admits them to their full extent, and makes *him* feel them also. (3.) It is not that we become partakers of the essential righteousness of God. That is impossible. (4.) It is not that *his* righteousness becomes *ours*. This is not true; and there is no intelligible sense in which that can be understood. But it is God's plan for *pardoning* sin, and for *treating* us as if we had not committed it; that is, adopting us as his children, and admitting us to heaven, on the ground of what the Lord Jesus has done in our stead. This is God's plan. Men seek to save themselves by their own works. God's plan is to save them by the merits of Jesus Christ."

Proof 2. p. 84, 85. "*Even the righteousness of God.* The apostle, having stated that the design of the Gospel was to reveal a new plan of becoming just in the sight of God, proceeds here more fully to explain it. The explanation which he offers, makes it plain that the phrase so often used by him, "*righteousness of God*," does not refer to an attribute of God, but to his plan of making men righteous. Here he says, that it is by faith in Jesus Christ; but surely an *attribute* of God is not produced by faith in Jesus Christ. It means God's mode of regarding men as righteous through their belief in Jesus Christ. "God has promised that they who believe in Christ, shall be pardoned and saved. This is *his* plan in distinction from the plan of those who seek to be justified by works."

"*Being justified.*—Being treated as if righteous, that is, being regarded and treated as if they had kept the law. The apostle has shown that they *could not* be so regarded and treated by any merit of their own, or by personal obedience to the law. He now affirms that if they were so treated, it must be by mere favor, and as a matter, not of right, but of gift. This is the essence of the Gospel.

Proof 3. p. 94, 95, as quoted under charge IV (7) and p. 96. "God judges things as they are; and sinners who are justified, he judges *not* as if they were pure, or as if they had a claim: but he regards them as *united by faith to the Lord Jesus, and in this relation he judges that they should be treated as his friends, though they have been, are, and always will be personally undeserving.* But if the doctrine of the Scriptures was, that the entire righteousness of Christ was set over to them, was really and truly theirs, and was *transferred* to them in any sense, with what propriety could the apostle say, that God justified the ungodly? If they have all the righteousness of Christ as their own, as really and truly theirs, *as if* they had wrought it out themselves, they are *not* "*ungodly.*" They are eminently pure and holy, and have a claim, not of grace, but of debt, to the very highest rewards of heaven." p.

97. *Unto whom God imputeth righteousness.*—Whom God treats as righteous, or as entitled to his favor in a way different from his conformity to the law. This is found in Psalms xxxii. And the whole scope and design of the Psalm is to show the blessedness of the man who is *forgiven*, and whose sins are not charged on him, but who is freed from the punishment due to his sins. Being thus pardoned, he is treated as a righteous man."

Proof 4. p. 127. *By the obedience of one.*—Of Christ. This stands opposed to the *disobedience* of Adam, and evidently includes the entire work of the Redeemer which has a bearing on the salvation of men. Phil. ii. 8. "He - - - - became *obedient* unto death."

P. 21. "*Of God's righteousness.* Not of the personal holiness of God, but *of God's plan of justifying men*, or of declaring them righteous by faith in his Son. Here God's plan stands opposed to their efforts to make themselves righteous by their own works."

How irreconcileable this is to our standards, is seen.

Con. XI. i, ii, iii. Lar. Cat. 70, 71, 72, Sh. Cat. 33.

On this charge, I do not think it necessary to dwell. My general plea is, that the charge is not sustained by the passages which are quoted from my book. The charge is, that I have *denied* that "the active obedience of Christ is imputed to his people for their justification;" and is followed by an *inference* of Dr. Junkin from this, that I also deny that they "are righteous in the sight of the law, and therefore justified." In regard to this, I observe (1.) that the charge is *not* that I denied that the benefits of the work of Christ are imputed to men, or that they were justified on account of what he had done. So explicit were my repeated declarations on the subject, that it was not possible to allege that I denied this. (2.) I have *not* denied that the active obedience of Christ is imputed to his people. I have affirmed nothing on the subject. I have not any where in my book referred to the distinction between his active and passive obedience. There does not any where occur an expression in regard to the distinction; and of course there can be no denial of the doctrine. And I confess that I have not thought it necessary in my preaching, or in my writing, to refer distinctly to that distinction which is made in the books of theology. I have uniformly represented the doctrine as near as possible, in the language of the Scriptures; that it was, by his blood, his obedience unto death, his merits, his atoning sacrifice, his substituted sufferings, his work alone that men could be justified and saved. I have always taught that men have no merits by nature, that they have done nothing, and can do nothing to deserve eternal life; that they are lost and helpless and ruined; and that if ever saved it must be by the merits of the Lord Jesus Christ alone. And that this *has* been the strain of my preaching, I may appeal boldly to all who have

ever heard me, and to all my writings. No man ever heard me utter a sentiment in the pulpit or elsewhere that contravened this great central truth of Christianity; no man can find in any of my writings an expression that is contrary to the doctrine. The charge, therefore, that I have "DENIED that the active obedience of Christ is imputed," &c. is wholly gratuitous and unfounded. It is neither contained in the passages which are quoted by the prosecutor from my book, nor is it to be found any where in what I have said or written. (3.) I have *not* denied that his people are "righteous in the sight of the law, and therefore justified." This is another of the injurious and unfounded *inferences* which Dr. Junkin has felt himself at liberty to charge me with holding. In the very passages which he has quoted, I have affirmed the very contrary. Thus [p. 85] I expressly say that they are "treated as if righteous, that is, are regarded and treated as if they had kept the law." And thus [p. 28] I say, of the plan of justification by faith, that "it is God's plan for pardoning sin, and for treating us as if we had not committed it; that is, adopting us as his children, and admitting us to heaven, on the ground of what the Lord Jesus has done in our stead. Men seek to save themselves by their own works; God's plan is to save them by the merits of Jesus Christ."

4. My views on the subject of justification are stated often in the Notes, and with such clearness, I supposed, that their meaning could not be mistaken. All that I have now to do, is, to submit those views to the Presbytery, as being, so far as appears to me, in strict accordance with the Confession of Faith, and the Bible.

Thus on p. 85, I say, in the words "*being justified;*" "being treated as if righteous; that is, being regarded and treated as if they had kept the law." I have no other view of justification than that. Again: p. 28. "The phrase, righteousness of God, is equivalent to God's plan of justifying men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor. In this sense, it stands opposed to *man's* plan of justification, i. e. by his own works. God's plan is by faith. The *way* in which that is done, is revealed in the gospel. The object contemplated to be done, is to treat men as if they were righteous. Man attempted to accomplish this by obedience to the law. The plan of God was to arrive at it by faith. Here the two schemes differ; and the great design of this epistle is, to show that man cannot be justified on his own plan, that is, by works; and that the plan of God is the only way, and a wise and glorious way, of making man just in the eye of the law," &c. Again: p. 29. "But it (the plan of justification by

faith) is God's plan of pardoning sin, and for treating us if we had not committed it; that is, adopting us as his children, and admitting us to heaven on the ground of what the Lord Jesus has done in our stead. This is God's plan. Men seek to save themselves by their own works. God's plan is to save them by the merits of Jesus Christ." Also, pp. 90, 97, 95, 213, 29.

In all this, I suppose that the good principle is still maintained, that God reckons *things as they are*, and that *all his imputations are according to truth*, and are not false. Paul, for illustration, was justified by faith in the atoning blood of Christ. God did not reckon, or impute, that *Paul* was put to death on the cross; that *he* was arraigned and mocked; that *his* hands were pierced, and his temples pressed with the crown of thorns, and that *he* was nailed to the tree. So to impute, or reckon, would have been contrary to historical fact. *It was not so*, and could not be so reckoned, or imputed. But God's imputations were according to truth; and not otherwise. [1.] He reckoned Paul to be a lost and ruined sinner —undone, and helpless; and condemned, in the sight of justice and of law. He imputed to him a character which rendered salvation by his own doings impossible; and this was according to truth. [2.] He reckoned or judged his Son to be a sacrifice in the place of Paul. Himself innocent, yet he was willing to die to redeem him. God *regarded* his Son as such a sacrifice, as dying to make atonement; as rising, that man might be justified. All his work he regarded or reckoned to have been undertaken and accomplished in the place of sinners. This was to reckon the thing just as it was. [3.] Paul was enabled by the Holy Spirit to repent, and believe the gospel. He so judged of him *as* a penitent, and a believer. And he judged that it would be consistent for him to pardon and save a penitent, on account of what Christ had done in his stead. The law had been magnified and made honorble. Justice had been satisfied. The anger of God had been appeased. His own character would be regarded as pure; his hatred of sin had been evinced; his authority would be maintained, and his mercy manifest, if he should then forgive him. God *judged*, or reckoned, that it could be done consistently, and it was done; and the judgment was in strict accordance with truth. [4.] It was consistent for God to treat Paul *as if* he had not sinned; to treat him, *in fact*, as a pardoned and justified man. The benefits, or results of the work of Christ were thus made available to his pardon, and acceptance; and were thus reckoned, or imputed to him in the eye of the law, so that he could be consistently treated in this manner. All God's judicial reckonings or imputations are thus according to

truth, or as things actually are. He reckons nothing falsely; but just as he sees them to be. Truth and justice are thus maintained; his character is unsullied; and the happiness of man secure.

A change has been made in the "Notes," which removes an ambiguity in the former edition, in a passage which failed to convey my meaning. The change occurs on p. 96, where the following passages have been substituted for those which there occur: viz.

P. 96. "It is not meant that the righteousness of Christ is *transferred* to them, so as to become personally theirs—for moral character cannot be transferred;—nor that it is *infused* into them, making them personally meritorious—for then they could not be spoken of as ungodly; but that Christ died in their stead, to atone for their sins, and is regarded and esteemed by God to have died; and that the results or benefits of his death are so reckoned or imputed to believers, as to make it proper for God to regard and treat them as if they had themselves obeyed the law; that is, as righteous in his sight."

Charge X.

The tenth charge is in the following words: viz.

"Mr. Barnes also teaches, in opposition to the standards, that justification is simply pardon."

Proof 1, pp. 28, 29 (already quoted). "The phrase *righteousness of God* is equivalent to *God's plan of justifying men; his scheme of declaring them just in the sight of the law; or of acquitting them from punishment, and admitting them to favor.*"

2. "In regard to this plan, it may be observed, (4.) It is not that *his* righteousness becomes *ours*. This is not true; and there is no intelligible sense in which that can be understood. But it is God's plan for *pardoning* sin, and for *treating us* as if we had not committed it."

3. p. 110. "*Being now justified.* Pardoned; accepted as his friends."

4. p. 124. "*Unto justification.* The work of Christ is designed to have reference to many offences, so as to produce pardon or justification in regard to them all." The comment on chap. v. 19. "For as by one man's disobedience many were made sinners, so by the obedience of one, shall many be made righteous," is thus summed up, p. 127, 128. "The sense of the verse is this: 'As in consequence of the sin of one, the many became sinners, without explaining the mode in which it is done; so the many became righteous in the mode and on the terms which are explained.' *Righteous.* Justified. Free from condemnation.'"

5. p. 182. "*It is God that justifieth.* That is, who has pardoned them, and admitted them to his favor; and pronounced them *just* in his sight."

6. p. 217. "The moment a sinner believes, therefore, he is justified; his sins are pardoned; and he is introduced into the favor of God."

The inconsistency of this with Standards is evident. Con. XI. i. ii. iii. Lar. Cat. 70, 71, 72, Sh. 33. See Scriptures quoted under IX. and Rom. vi. 16—18, 19. 1 Pet. i. 14—22.

In regard to this charge, I have few words to offer. My general reply is, that I have *not* taught what is here charged on me, but the very reverse. So far from teaching that justification is merely pardon, I have, in the very passages under consideration, taught that God regards and treats the sinner who believes in Christ as if he was righteous, and that solely on account of the merits of Christ, irrespective of any good deeds, or desert of the sinner, whatsoever. The main difference between *pardon* and *justification*, I have supposed, respects the sinner contemplated in respect to his *past* conduct, or to God's *future* dealings with him. Pardon is a free forgiveness of past offences. It simply has reference to those sins *as* forgiven, and blotted out. It is an act of remission on the part of God. Justification has respect to the law, and to God's purposes of *future treatment*. It is an act by which the sinner becomes righteous in the sight of the law; or by which God determines to treat him hereafter *as* a righteous man, or as if he had not sinned. It is true that pardon, in the divine arrangement, implies justification as certainly to exist. But it is *because* God has so arranged it; and not because pardon is the same thing as justification. Thus under the English law, in the case of treason, where the blood is corrupted by attainder, the corruption is of such a character that a mere act of pardon cannot fully remove it, but it can be "absolutely salved and restored but by act of Parliament." "And it is a general rule, that having respect to all those whose blood was corrupted at the time of the attainder, the pardon doth not remove the corruption of blood neither upward nor downward." III. Coke upon Littleton, pp. 614, 615. In like manner, in regard to the case of a rebel against heaven, a pardon has reference to past offences, but there is need of the solemn act of God, resolving that *all* the effects of his sin shall be removed, and that he shall be henceforward treated as if he had not fallen; that is, be wholly restored to favor, and adopted as his child. On this charge, I have not taught the doctrine with which I am accused; nor do the passages alleged prove it. In the very passages adduced by the prosecutor on this charge, I have taught that God admits the sinner to favor, and treats him as if he had not sinned, or were righteous.

I am now through with the consideration of these wearisome and troublesome charges. I rejoice that I am drawing near the conclusion of this trial, and that I can commit the cause to my Presbytery. I have gone over the charges at length. A part of the doctrines charged on me I do hold; but have endeavored to show that they are neither contrary to the Bible, nor to the Confession of Faith. A part of

them I do *not* hold; the passages which have been adduced from my book to prove them, I have shown do not prove them; and I reject them with as deep abhorrence as my prosecutor can do. A part of them are *inferences* which the prosecutor has drawn from what he has conceived to be my meaning, and which, in violation, as it seems to me, of all the principles of equity, he has accused me of holding. A large part of the charges pertain to abstract and metaphysical subjects, which do not affect the vitality of Christian doctrine, which are unintelligible, or uninteresting to the great mass of men; and in which men may differ, and yet hold to the great facts of the Christian revelation. None of the points on which I differ from the prosecutor, can be regarded as fundamental; and, on all of them, difference of opinion has been allowed hitherto in the Presbyterian church.

In reference to these charges, the Presbytery is now to give their verdict. While I am accused in this manner, I beg that it will be borne in mind, that on the great and vital doctrines of the Christian religion, even my prosecutor has dared to frame no accusation. While I am arraigned on these charges, not affecting the vitality of Christian doctrine, not a charge has been brought, and not a syllable has fallen from his lips, that I am suspected of unsoundness or heresy, in regard to the divine origin, and plenary inspiration of the Holy Scriptures; to the unity, spirituality, and perfections of God; to the nature of his moral government, and the claims and equity of his law; to the divinity of Jesus Christ; to the fact that he made an atonement for sinners; that he died and rose from the dead and ascended to heaven; to the doctrine that man is fallen, lost, corrupted, and totally ruined in himself; that he is entirely depraved, and is condemned by the law; to the necessity of a change of heart, radical, and entire, and totally transforming; to the doctrine that this is produced solely by the agency of the Holy Spirit, and that it never is, nor can be accomplished but by him; to the doctrine that man is justified by the merits solely of the Lord Jesus; to the doctrine that God is a sovereign, and bestows his blessings when and where he pleases; that he has a plan that is good and wise, and that men are saved according to his eternal counsels, and his electing love; to the doctrine that Christians should lead a holy life, and should cultivate a spirit of humility, and love, and purity, and prayer; to the doctrine of the perseverance of the saints, and to the great truth that the righteous shall be saved forever, and wicked destroyed eternally in hell. Now, on these, and the great kindred doctrines of religion, my prosecutor has alleged in me no departure from the faith once delivered to the saints.

On minor points, on points of metaphysical difference and speculation, he has arraigned me, has sought to embarrass me, and has spread my name abroad as charged with heresy, and as unworthy the confidence of the churches of the Redeemer.

Having gone through with an examination of these charges, at such length, I now commit the cause to my Presbytery. My happiness, my usefulness, my peace, and my reputation, are in no small degree in your hands. I commit the cause with confidence to my brethren, and to God, not doubting that justice will be done. Deeply affected as all my interests must be in this decision, I have no apprehension as to the result of this investigation; for I have shown, I think, that I hold no doctrines contrary to the holy Scriptures; that I accord with the great, main, and essential truths stated in the Confession which we all have professed to receive; and that where the prosecutor and myself differ in opinion, it is only in those abstruse and metaphysical points which in all ages have been considered debateable ground, which do not affect the vitality of Christian doctrine; on which the Presbyterian church in the United States, always imbued hitherto with a large and catholic spirit, has allowed its ministers and members to differ; and in reference to which they *may* differ, and still be the warm friends of truth and order; the advocates of revivals of religion; and fellow laborers in the great work of bearing the gospel around the world.

I have only to add, that I cherish no unkind feelings towards my prosecutor. I charge on him no improper motives. I accuse him of no unchristian or vindictive spirit. I have no reason to doubt that he has, in all this proceeding, been actuated by conscientious motives. I delight to add my humble testimony, in accordance with the feelings of all who have witnessed this trial, to his Christian spirit; and rejoice to close, by saying that my conviction of the piety, and the Christian temper of my prosecutor, has been augmenting throughout the entire prosecution. With these remarks, I submit the cause to the Presbytery; and these documents, to be preserved, with the consent of the Presbytery, as a part of their records, as the evidence which I adduce on my part, and as my defence.

ALBERT BARNES.

THE APPEAL

OF

MR. BARNES.

PHILADELPHIA, NOV. 10, 1835.

To the Rev. William M Engles,

Moderator of the Synod of Philadelphia:

REV. SIR,—You are hereby officially informed that I intend to appeal to the General Assembly of the Presbyterian Church in the United States of America, to meet in the city of Pittsburg, on the third Thursday of May, 1836, from the decision of the Synod of Philadelphia, made at their session in York, in my case, and to complain of their doings in regard to the same. The appeal is from the definite sentence suspending me from "the exercise of all the functions proper to the gospel ministry," and the complaint and appeal relate to the various steps by which the Synod were led to the sentence which they have passed. The general grounds of the appeal and complaint, are those which are stated in our Book of Discipline, [ch. vii. § iii. sub. sect. 3], to wit: "irregularity in the proceedings of the inferior judicatory;" "a refusal of reasonable indulgence;" "declining to receive important testimony;" "hurrying to a decision before the testimony was fully before hem;" "a manifestation of prejudice in the case," nd "injustice in the decision."

In particular, I appeal from this decision,

1. Because the Synod proceeded to try and issue the case in express violation of the Constitution of the Presbyterian Church in the United States. The Second Presbytery of Philadelphia, in the exercise, as they judged, of their constitutional rights, had laid in a plea against the jurisdiction of the Synod over any cause which had been before them prior to the 28th day of October, 1835, when, by the act of the Assembly, the two Synods were to be united; and had resolved, in connection with each of the other Presbyteries of the late Synod of Delaware, to withhold heir records from the Synod of Philadelphia. The Constitution of the Presbyterian Church expressly declares, that in conducting an appeal, the *third* step shall be, "to read the whole record of the proceed-

ings of the inferior judicatory in the case, including all the testimony, and the reasons of their decision:" Book of Discipline, ch. vii. § iii. sub. sect. viii. Yet, although those records were not in full before the Synod, and could not be obtained, the Synod resolved to proceed and issue the case *without*. Of this I complain, as a violation of the Constitution of the Presbyterian Church; as contrary to the uniform proceedings in all ecclesiastical courts; as contrary to the proceedings in all courts of justice; and as manifestly unjust, and leading to an erroneous decision; as depriving me of a right which all persons have in a trial of appeal, that the whole record of the court below, and the reasons of its decisions should be fairly placed before the superior judicatory. I complain of it, because, if this were acted on every where, the interests of no man would be safe, and the cause of justice, and of right, would be every where violated.

2. Because the Synod proceeded to 'authenticate' by parole testimony, certain papers which were said by the prosecutor to be a part of the records of the Presbytery in the case. Of this I complain, and from the decision to do this I appeal, because it is unknown to the Constitution of the Presbyterian Church; and a departure from its express provisions: and because it was not even pretended that *the whole* of the records of the Presbytery were produced by the prosecutor, and authenticated by the testimony of the single witness who was examined.

3. Because it was in evidence before the Synod on the testimony of the Rev. Mr. Steel, that in the trial before the Presbytery, I *did* adduce passages from my book, which he understood to be evidence designed to rebut that which was adduced by the Rev. Dr. Junkin. That evidence was a part of the record of the Presbytery; and this evidence, with my explanation and defence, went materially, as I have reason to believe, to produce the decision of the Presbytery acquitting me from holding dangerous errors. Yet while the Synod were apprised by the witness before them that this was the fact, and while it must have been manifest that injustice would be done without the evidence and defence, they proceeded as if it had had no existence.

4. Because the Synod heard but one party in the trial of the appeal. The Book of Discipline [ch. vii. § iii. sub. sect. viii.] expressly declares that the *fourth* step shall be, "to hear the original parties." Yet but one party was heard. After I had expressed in writing, in a respectful manner, the reasons why I could not appear before them, and submit to a trial while the records of the Presbytery were wanting, the

Synod, nevertheless proceeded to hear my accuser at length; and him only. They issued the case without any of the evidence which I had adduced in the court below; without any defence on my part; without having heard the 'original *parties*;' and wholly on *ex parte* testimony, and *ex parte* argument. Of this I complain as a violation of the Constitution, and of the rights and privileges which every man has in a land of freedom and equity; and especially of the rights which are guaranteed to every man by the principles of common justice, and by the word of God. Though I had said before the Synod that so far as I was personally concerned, I was prepared for trial: though I had expressed a willingness to be tried by any competant tribunal; and though, without injustice to any of the parties, the whole subject might have been referred to the General Assembly; yet the Synod proceeded to issue the case in a manner that evidently must lead to a partial and unjust decision, and in a manner that violates all the rights which God has given me as a Christian, as a minister, and as a member of the community.

5. Because, in express violation of the constitution, the Synod proceeded to issue the case without having heard the members of the Presbytery in defence of their decision. The Book of Discipline (ch. vii. §iii. sub. sect. viii.) expressly ordains that the *fifth* step in conducting an appeal shall be to "hear any of the members of the inferior judicatory in explanation of their decision, or of their dissent from it." The Presbytery had formally, and in writing, objected to the jurisdiction of the Synod in this case, and in all cases before them prior to the 28th day of October, 1835. *Whatever* might be the propriety, or impropriety of this plea, it was such that they could not appear before the Synod in defence of their decision, and they were not in fact heard. Of the course pursued by the Synod in proceeding to issue the case *without* their having been heard, I complain, not only as in violation of the constitution, but as deciding the case when I was deprived of the benefit which must have resulted had they stated to the Synod the reasons of their decision. The grounds on which they acted; the evidence which went to influence *their* minds in acquitting me; the considerations which led to their decision, it is to be presumed, would have constituted a material argument in my favor in influencing the minds of the Synod in the case. It is a right which an accused man has, under our church government, that the judicatory that has acquitted him from charges materially affecting his character, his influence, his peace, and his usefulness, should be heard in defence of their decision. But the Synod

proceeded to issue this cause when I was deprived of even *this* defence; when I had neither the advantage of defending my own sentiments, nor the advantage of the defence of those who, before their own bar, had heard me at great length, when confronted with my accuser, and when the whole testimony was before them.

6. Because the Synod proceeded to issue the case in this unconstitutional manner, when I had informed them, that, in order to silence the alarms, and remove the apprehensions of my brethren in regard to certain expressions and passages in my 'Notes on the Romans,' I had carefully revised the book, had endeavored, as far as practicable, to remove the exceptionable expressions, had changed the phraseology which had been objected to, where it was ambiguous, or where it had been misunderstood, or did not fully and clearly express my meaning; and had thus endeavored to do all that I *could* do to promote the peace and harmony of the churches. Though I admit that the trial strictly must have been on the book as it was at first published, yet I humbly conceive that it was a privilege which should have been conceded by Christian men to an accused brother, that those alterations should have been examined, and if such as to remove all reasonable grounds of offence, that they should have been allowed to influence the decision. All that can be asked of a minister of the gospel who is charged with error, is, that he should remove all reasonable grounds of offence; and in a trial that must materially affect his character and influence, this indulgence, before a Christian tribunal, should not be denied. Yet while the Synod were apprised of my desire to do this, they proceeded to decide the case without reference to any such effort on my part, and as if no such changes had been made. Of this I complain, as manifesting prejudice in the case, and as evincing a disposition to pass a sentence whether the accused was, or was not heard; and whether he was or was not willing to make any effort to allay the apprehension of his fathers and brethren. Most conscientiously did I believe that I had done all that could be reasonably required of me to silence the voice of alarm; and I complain that this my effort was disregarded, and that the reasonable indulgence which every man has a right to expect, was not allowed me.

7. I appeal and complain because of injustice in the decision. This injustice consists, in part, in attributing to me sentiments and doctrines which I have not taught, and which I do not hold; and in part, in condemning as erroneous those doctrines which I have taught, but which are in accordance with the Bible,

and with the Confession of Faith. As this is the principal ground on which I appeal to the General Assembly, it is necessary to state more particularly wherein the error and injustice of the decision of the Synod consist.

[Mr. B. then proceeds to state very briefly the reasons of his complaint in relation to each of the ten charges, as these reasons are merely a summary of his defence, which we have published entire, we omit them here.]

Because, therefore, on the whole charges, the prosecutor has accused me either of heresy in holding doctrines which are in accordance with the Bible and the standards, or of holding doctrines which I do not hold, and which I have not taught; because the Synod have united with him in giving currency, publicity, and permanency to these injurious charges; because its whole influence and power has thus been employed to blast my reputation, to injure my usefulness, and to close my ministry; and because this was done in violation of the constitution, and of the great principle guaranteed to us by the God of nature, by the Bible, and by the institutions of just and equal governments, that no man shall be held to be guilty and abridged of his rights without a legal and proper opportunity of self-defence, do I complain of the decision in each and all of these charges as unequal, unjust, and oppressive; and from that decision do I appeal to the collected wisdom of the Presbyterian Church in the United States.

8. I appeal and complain, because in the minutes which the Synod adopted, they do not even charge *me* with holding the doctrines alleged in the charges of Dr. Junkin. The minute declares that "some of the errors ALLEGED *in the charges* to be held by the said Albert Barnes are fundamental, and all of them contrary to the standards of the Presbyterian Church in the United States," and yet the Synod proceed to suspend ME from the gospel ministry "until I retract those errors, and give satisfactory evidence of repentance." Now of this I complain, and from this I appeal, because it was never proved to the Synod that I held these errors, nor could it have been on a trial wholly *ex parte;* because they do not even pretend to say that *I* hold those errors, but only that they are "*alleged* errors charged on me," and on the ground of this, proceed to suspend me from the ministerial office. On this principle, all that is necessary in order to make the suspension or deposition of any minister proper, is merely that fundamental errors be "alleged" against him, and then that some errors not fundamental should be supposed to be proved. On this principle, evidently, no man can be safe in his reputation, property, or life; and all justice must be regarded as at an end.

9. I appeal and complain, because while the Synod have decided that I should be suspended until I retract these errors, and give satisfactory evidence of repentance, they have not told me before what body it is to be done, or when an opportunity is to be afforded to do it. On the supposition that I was willing to do it, and to make all proper concessions, I am wholly uninformed when, or where it can be done. It was not declared whether it was to be done before the Synod, or the General Assembly, or the Presbytery, or my own congregation. The Synod will not meet again in a year; and it is unreasonable that I should be compelled to cease from the exercise of the functions of the gospel ministry, and my people deprived of my services, and that no *opportunity* should be given to retract these alleged errors *until* that time. Moreover the Synod, by a subsequent act, have dissolved the Presbytery of which I was a member at the time the trial was commenced, and have directed that the members of the Assembly's Second Presbytery make application to the Presbytery of Philadelphia to be received by them. Yet it is wholly uncertain whether this Presbytery would receive me on such application should it be made, and the Synod have not even directed me to appear before the Presbytery or any other body to retract the errors alleged, and to offer evidence of repentance. Justice would have demanded that even, under a fair and constitutional trial, some such direction should have been given. As it is, there is no opportunity given by the Synod for any such retraction as it demands, and the whole decision, therefore, is unjust, unconstitutional, and null and void.

10. I appeal from the sentence, and complain of it as oppressive and unjust, because the Synod gave me no opportunity, at any time, of stating before them any reasons why it should not be passed, or of retracting the errors charged on me had I been disposed to do it. The Book of Discipline expressly declares (ch. v. § 14,) "That a minister under process for heresy or schism, should be treated with christian and brotherly tenderness. Frequent conferences ought to be held with him, and proper admonitions administered." With me, previous to the final sentence, the Synod sought no conference; and to me they administered no admonition. The spirit and letter of our Book of Discipline were thus violated; and the christian tenderness and kindness required in the religion of the Savior withheld. On this subject I complain especially, that even if it should be conceded that the Synod were not bound to do this *during the trial of the appeal*, yet every principle of justice and equity demanded that an opportunity should have been given to me to show reasons, if any existed, why

the *sentence* should not pass. This privilege is not denied in criminal courts to the worst felons, before a degrading and final sentence is passed; but to me, a minister of the gospel of Christ, this privilege was not granted. It cannot be pleaded that this was the result of mere inadvertence, for it was urged by a member distinctly before the Synod as a matter of right, which should not be denied to any man about to be condemned, and that member was given to understand by the Moderator of the Synod, that at the proper time before the final sentence should be passed, that opportunity should be afforded me. Yet it was not done. The appeal was sustained, and the sentence hurried through, without *offering* me an opportunity either of disavowing those errors, or of stating any reason why a sentence so deeply affecting my character, usefulness, and peace, should not be pronounced. Thus, while in all courts on earth the man who is deemed by the laws least worthy of indulgence and kindness, the man who has imbrued his hands in blood and who is about to pay the forfeit with his life, is called on at the last stage of the trial, and when declared guilty, by a verdict of impartial men, and after the country has afforded him every possible indulgence and probation to show reasons, if any exist, why the last sentence of the law should not be pronounced, a minister of the gospel of Jesus Christ, and a minister of the Presbyterian denomination, a minister in a land of equity, and of freedom, was suspended from office not only unheard, *but without being asked* why he should *not* be condemned; his ministry arrested; his influence paralyzed; and himself held up to the public eye as unworthy to speak of redeeming mercy in any pulpit in the land. Still further, I complain that *after* the sentence was passed, the Synod gave me no opportunity, had I been disposed to do it, *then*, to retract those errors. With a cold and formal resolution that a copy of the sentence suspending me should be presented to me by the stated clerk, I was suffered to leave them. Had the great law of christian kindness been observed by the Synod, or had the principles of equal justice been regarded, an opportunity would have been given, it is humbly conceived, for me, by calling me affectionately before them, to have stated reasons why the sentence should have been at once removed, if any such reasons had existed, and why I might be permitted to resume my ministry. Because none of these privileges were granted to me, I complain to the General Assembly of the course pursued by the Synod, as unjust and oppressive; as evincing a determination to suspend me from the ministry, and as withholding from me privileges and rights guaranteed to me, in

every sacred manner in the country, as a christian, as a minister, and as a man.

11. Because thus to silence and condemn a minister of the gospel who was in fact unheard before the Synod, tends to injure his character and to destroy his usefulness. The whole authority and influence of the Synod of Philadelphia, by the course which has been pursued, has been employed on an *ex parte* statement and argument, to fasten on me in public estimation, the belief of doctrines which I do not hold; to embarrass me in my ministry, and to render me suspected and odious in the public estimation; to alienate from me, as far as they could, the confidence and affection of the people of my charge; to send forth my name as branded with heresy; to break up my plans of labor and to annihilate my usefulness; and to proclaim throughout the land and throughout the world, that I am unworthy a place in the Christian church, and unfit to make known the unsearchable riches of Christ to my fellow men. All that one of the most numerous and powerful ecclesiastical bodies in the United States could do, has been done to cover my name with infamy, and to transmit it thus to posterity, and all this, when in fact I have been unheard and undefended. But all therefore, that is dear to me in character, and in feeling; by all my regard to my happiness, reputation, usefulness; by all the respect which I owe to myself, my family, my people, and my friends; by all the reasonable solicitude which every man must cherish for the favorable opinion of the present, and of future times; and by all the love which I feel for the work of the ministry into which I have been regularly inducted when holding the opinions which I now cherish, and in which I have spent ten years of my life—the vigor of my days—happily, and I hope not idly and without evidence of divine approbation, and by all the desires which every man must feel that his name should not be branded as infamous and his character as unworthy of confidence, I feel myself called on to appeal to the judicatory of the Presbyterian church in the United States, and to ask their interposition to reverse this unjust sentence. Rejoicing in the right which is thus given in the christian denomination with which I am connected, I cheerfully commit my cause to the wisdom of the General Assembly, and to the Great Head of the church, with unwavering confidence that He will overrule all to his own glory, and to the furtherance of his cause on earth.

And finally, I appeal and complain because, to suspend and condemn a minister of the Gospel, otherwise in good standing, while in the midst of plans of usefulness, and while he has evidence that the Holy Spirit is attending and blessing his labors, to break

up his schemes of labor, to disarrange and embarrass his Sabbath schools, his Bible classes, and his plans of benevolent effort, and to throw his church into distraction, and to deprive them of his services, because, while he preaches the same truths with his brethren, he does not think it best to employ the same phraseology with them, and differs from them in regard to certain abstruse points which do not effect the essentials of the doctrine of the church, and in regard to which the Presbyterian denomination has always allowed its members to differ; to do this when every effort of the church is called for to *increase* the number of ministers of the gospel, is a gross violation of the rights of conscience; tends to repress investigation, and liberal inquiry; is manifestly contrary to the spirit of religious liberty with which God has invested us; is at war with the genius of the times, and with the civil institutions of the land, and the large and liberal spirit which the Presbyterian church has always evinced; is a violation of the spirit of our holy religion and of the precepts of the word of God; is an act threatening the peace of no small portion of the ministers of the land, who hold the same sentiments; and if carried out, would impose silence on hundreds of the most faithful, pious, laborious, and successful ministers of the Presbyterian church, and of all other churches; would rend the body of Christ and close hundreds of sanctuaries, and displace hundreds of pastors in the nation; in making religion in the eye of the world, but another name for intolerance, and arming the world against it; and unless speedily and sternly rebuked by the united wisdom and authority of the whole church, will introduce a state of tyranny and oppression among us, such as existed before the glorious reformation. If the principles involved in this decision of the Synod of Philadelphia are to be sustained, no minister can for a moment feel himself safe; no man knows how soon his character shall be assailed and his plans broken up, and the whole power of an ecclesiastical tribunal employed to brand his name with infamy, and to send it abroad as unworthy of confidence throughout the world. For all these reasons I appeal from this decision made "contrary to truth and righteousness," to the collected wisdom and piety of the Prebyterian Church in the United States, and pray that Reverend body to remove this unequal and oppressive sentence; to restore me to the full exercise of all the functions of a gospel minister; and to take such order on the whole case as in their wisdom shall appear best; to express their sense of the unjust course which the Synod of Philadelphia has pursued; to promote the unity of the distracted churches; and to guard the rights, the repu-

tation, the peace and the usefulness of all the ministers and churches within our pounds.

ALBERT BARNES.

Philadelphia, Nov. 10, 1835.

LIST OF THE MEMBERS OF SYNOD.

The first portion of the Report, as it appeared in the Observer, having been omitted by the publishers of this work, (their sole object being to present what related directly to the trial of Mr. Barnes,) it has happened, through inadvertence, that the roll of the Synod has been omitted with the rest. It is therefore supplied in this place.

Presbytery of Philadelphia.

MINISTERS.—Ashbel Green, D. D., George C. Potts, Wm. Latta, G. W. Janvier, Wm. M. Engles, W. L. M'Calla, Samuel Lawrence, Chas. Williamson, S. G. Winchester, A. P. Harker, John W. Grier, Nathan Harned, George M'Cuen, Moses Williamson, John Kennedy, A. B. Bradford, S. D. Blythe, Alex. Macklin, Jared L. Elliott, Alex. Heberton, Wm. Ramsey. ELDERS—James Algeo, Moses Richmond, John Cade, Sam. Black, John Moore, Levi Stratton, Charles Woodward, Alex. Symington.

Second Presbytery of Philadelphia.

MINISTERS.—Wm. Neill, D. D., John M'Dowell, D. D., Alex. Boyd, C. C. Cuyler, D. D., R. B. Belville, Robert Steel, J. L. Dinwiddle, Robert Adair, S. M. Andrews, Wm. Gibson, ——— Morss. ELDERS.—Wm. Howard, M. D. Bevan, J. Vanarsdale, Andrew Brown, James Horner, Sam. E. Leech, Wm. A. Stokes, David Getty, John Beatty, Geo. Durfor, Alfred Jenks, Joseph Taney.

Presbytery of New Castle.

MINISTERS.—Sam'l. Martin, D. D., James Latta, Jos. Barr, S. Boyer, Wm. Finney, Samuel Park, J. N. C. Grier, O. Douglass, T. Love, A. G. Morrison, W. F. Houston, J. M. Dickey, A. K. Russel, John H. Symmes, R. H. Davis, J. D. Perkins, J. T. Davie, D. C. Rutter, ——— Simpson. ELDERS.—Robert Gemmil, James Kelton, Thomas Stewart, James Steele, Zephaniah Bayless, William Whiteford, John Buchnan, James Patterson, Sam'l Murphy, Jos. H. Gardner, James Wilson, John Whann, Wm. P. Bartlett, Wm. Kirkpatrick, James Perry, James Love, P. F. Lemitt, David Jakson, Wm. L. Kennedy, Robert Evans, James Keer.

Presbytery of Baltimore.

MINISTERS.—John Breckenridge, D. D., Robert J. Breckenridge, G. W. Musgrave, J. G. Hamner, Geo. Morrison, P. F. Phelps. ELDERS.—George Morris, Peter Fenby, Wm. Drurie, John Sterret, Chester Coleman.

Presbytery of the District of Columbia.

Ministers.—E. Harrison, R. Post, M. Noble, John C. Smith, E. Bosworth, James J. Graff. Elders.—Otho Magruder, Robert Hunter, John Kennedy, Jacob Gideon, jr. Wm. B. Gales, Thos. Vowel.

Presbytery of Carlisle.

Ministers.—Robert Cathcart, D. D., D. Denney, Robert Kennedy, A. M'Ginley, John Moody, H. R. Wilson, J. B. Sharon, Jas. Buchanan, J. M'Knight, W. R. Dewitt, James Williamson, Daniel M'Kinley, R. M'Cachren, A. B. Qua, Thos. Creigh, W. B. Patterson, J. C. Watson, R. Wynkoop, N. G. White, J. Dickey, R. S. Grier. Elders.—Amos M'Ginley, Wm. M'Ilvain, James Dallas, Wm. Rodgers, Benj. Jordan, David Fullerton, Wm. Gilland, Alex. Graydon, And. Blair, And. Woods, Jacob Ritner, Alex. M'Coy, Wm. Irvin, Jacob Cassatt, Jos. Gabby, James Agnew, Andrew Lynn, Robert M'Ilvaine, Wm. Woods, And. Carothers, Henry Mainfold, Wm. Milligan, W. S. Davis, James Graham.

Presbytery of Huntingdon.

Ministers.—J. Hutchinson, Jas. Lynn, Samuel Hill, David M'Kinney, B. E. Collins, Samuel Wilson, Joshua Moore, M. K. Williamson, J. M. Olmstead, Wm. Annan. Elders.—John M'Alister, Hamilton Humes, John Bailey, John Kerr, Joseph Gilleland, John Porter, Nathan Wilson, Wm. Barr, Wm. Irvin, James Anderson, James Wilson.

Presbytery of Northumberland.

Ministers.—J. B. Patterson, J. H. Grier, Wm. Smyth, R. Dunlap, D. M. Barber, J. P. Hudson, J. M. Marr, Samuel Shedden, Mr. Todd. Elders.—Wm. Shedden, Thos. Moorehead, And. Ferguson, jr. John B. Boyd, Wm. Cash, James Grier, Robt. H. Laird, James Rankin, A. D. Hessler, J. Sanderson.

Assembly's 2d Presbytery.

Ministers.—E. S. Ely. D. D., A. Barnes, J. Patterson, J. L. Grant, G. Chandler, A. Judson, S. Haight, J. W. Scott, J. R. Barbour, J. Smith, T. J. A. Mines, Wm. Bacon, Geo. Duffield, Thomas Eustace. Elders.—A. White, T. Flemming, Samuel Withington, Isaac Will, W. J. Sedinger, F. Schofield, E. Jones, S. Glocester, A. Fric, R. W. Davenport, John Van Dyke, Lewis Reese.

Presbytery of Wilmington.

Ministers.—E. W. Gilbert, J. C. How, H. Hammill, W. G. Jones, R. W. Landis, J. Knox, S. M. Gailey, A. Granger, J. D. Pickands, N. Patterson, J. M'Kim. Elders.—Robert Porter, John Clark, Jacob Faris.

Presbytery of Lewes.

Ministers.—Robert M. Laird, A. Campbell, C. Brown, G. W. Kennedy, Cornelius Mustard. Elders.—Robert Boyd.

Ministers,	133
Elders,	113
Total	246.

CORRECTIONS.

Since the report appeared, the editors of the Observer have received one or two letters from individual members of the Synod requesting the correction of some inaccuracies which had occurred in the representation of their speeches, and, as the readiest mode of doing this, we here insert the material portions of the letters themselves. It will be observed that they are from gentlemen *on different sides* on the main question before the court, and that while they advert to occasional errors of the reporter, *they concur in bearing unequivocal testimony to his general accuracy and impartiality.*

The Rev. Mr. WINCHESTER, of Philadelphia, says in his letter:

"I beg leave to call your attention to a mistake made in the report of some of my remarks. It occurs in the second speech I made on the case, where I am made to say, (see p. 14, at bottom,) "The Synod of Philadelphia refused to make a division of its presbyteries into two synods; a complaint was preferred to the Assembly against that decision. On the vote to sustain this complaint the synod was excluded, &c." Now this is altogether a mistake. 1. The refusal of the synod, alluded to, was not to make two *synods*, but *two presbyteries*, out of the one Philadelphia presbytery. 2. The complaint was not against that refusal; but, as Mr. Breckinridge stated, the synod, after refusing to divide the presbyteries, *referred* the matter to the Assembly. Against this decision to *refer* the case the complaint was taken; and instead of taking up the reference, the Assembly took up the complaint, turned out the synod, and divided the presbyteries, &c. I said this, (and I wish you to be so good as to correct it:) 'That if we should refer this case of Mr. Barnes, and a complaint should be entered against the reference, and the Assembly should take up the case under the *complaint* instead of the reference, and thus throw the synod out of the house,—if this was to be the course of things in the next Assembly, I would be opposed to a reference, for I would not jeopardize the rights of the synod. If we are to be thrown out, let us be thrown out lawfully, either by appeal or complaint, but not by a reference, merely because there is a complaint against the reference.'"

p. 277, l. 19. Mr. Winchester says: "I said just the reverse of this. I stated that Mr. Barnes did *not* deny the doctrine of decrees in his book."

p. 277, paragraph at the bottom. In relation to this paragraph Mr. W. says: "This is incorrect. The question I asked Dr. Hodge was—if a man should deny any one doctrine fundamental to our system, would he vote to admit him? which led me to observe, that the word fundamental was relative, and therefore often vaguely used. A doctrine may be fundamental to our system, yet not so to Christianity in the general. I further stated, that Dr. Hodge would admit ex-

planations, provided they did not amount to a denial of the doctrine attempted to be explained.

p. 278. lines 13 and 19. For pestiferous *heresies*, read, in each case, pestiferous *errors*.

He also requests that in that paragraph of the report, (page 17) where it is said that "a member stated that a count had been kept, and that Mr. W. had used the personal pronoun 55 times in 8 minutes, the name of "the Rev. John M. Dickey" should be substituted for "a member," and asks in a tone of complaint, "Did not your reporter know who that member was?" To this question the truth is the best, and will be a satisfactory, reply: our reporter did *not* know the name of the member, or he would have given it. MrWinchester, however, adds, "But I do say that, so far, I admire the impartiality of Mr. Stansbury."

The other letter is from the Rev. E. W. Gilbert, of Wilmington. He complains, and very naturally, of a paragraph in the report of his speech, (see p. 221, line 4th,) which, by a typographical error, is converted into perfect nonsense. The word "jurisdiction" was printed for the word "Jesuistry." No wonder it turned the speaker's meaning into darkness. In the reference to Dr. Miller it is said, "and one whom our brethren have never accused of jurisdiction." Please read, "But by one whom our brethren have never accused of *Jesuistry*."

Again: just after the quotations from Mr. Steele's examination, (see p. 224, line 13 from bottom,) it is said, "If there was a letter containing rebutting testimony, who brought it before presbytery? &c. Yet such a letter there was." The passage, at present, is wholly unintelligible. Please substitute the following:

"If the *rebutting testimony* adduced by Mr. Barnes before the presbytery has been brought before this synod, who brought it? Somebody must. Was it Dr. Junkin? It is not pretended. Mr. Barnes? No. The presbytery? No. They have not been heard. Not a word or a letter of it has been read. Yet such testimony there was before the presbytery, and it should have been exhibited here. *Laying a book on the table is not bringing it before the court.*"

Mr. Gilbert then adds, *per contra*,

"Mr. Stansbury's accuracy, and minute accuracy, generally, is remarkable, and astonishing; and I blame myself more than him for the confusion apparent in some parts of the speech."

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